



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

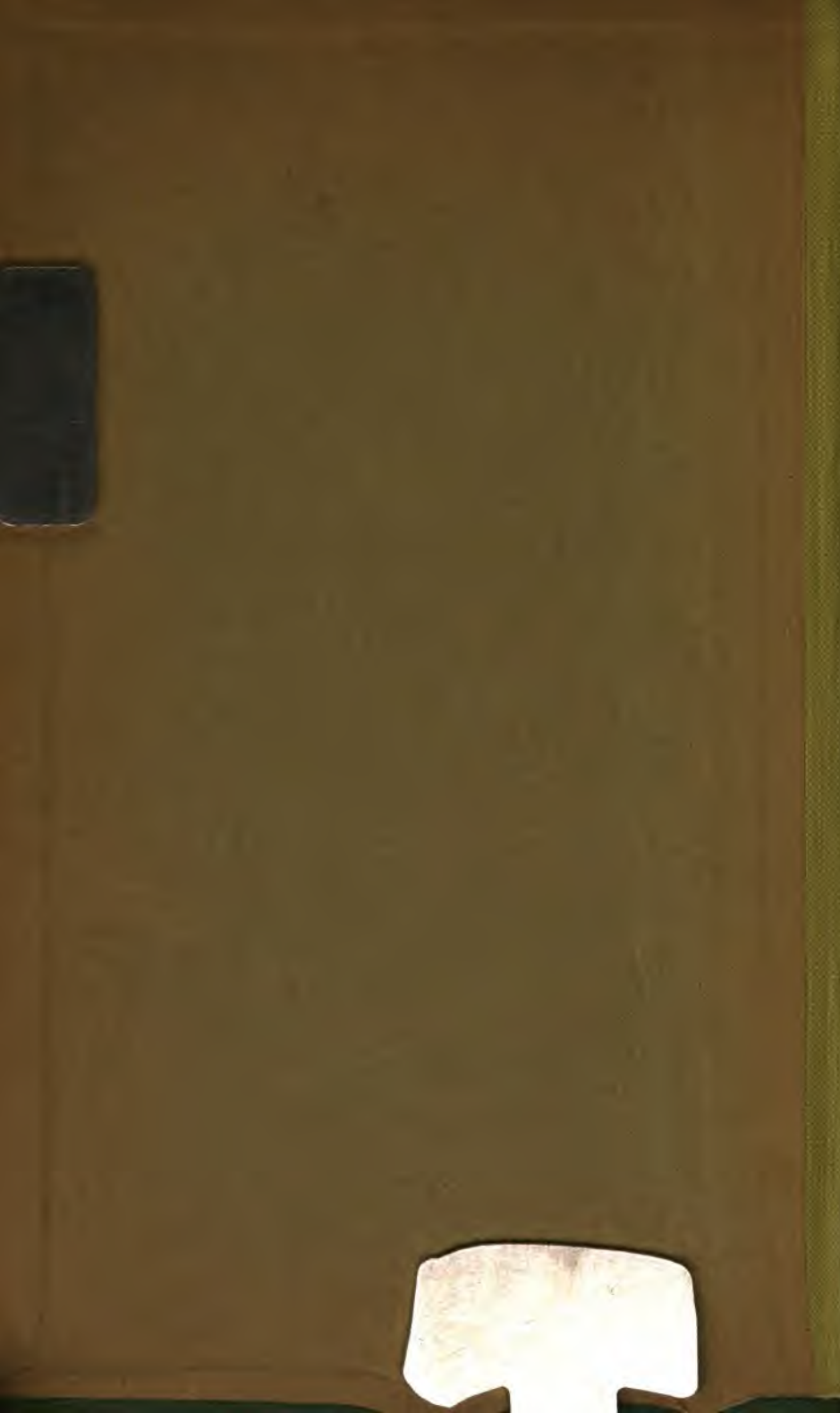
About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

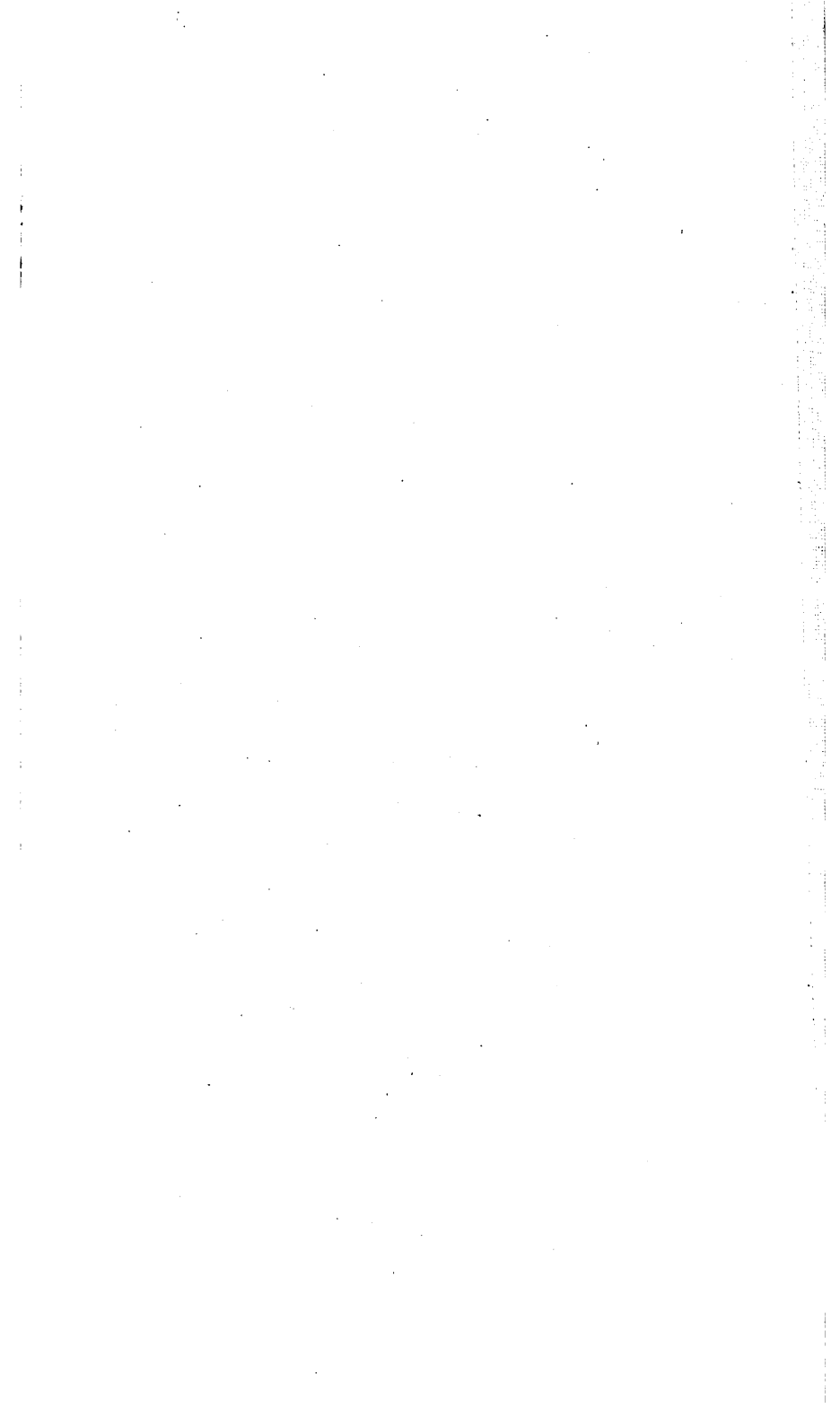
NYPL RESEARCH LIBRARIES

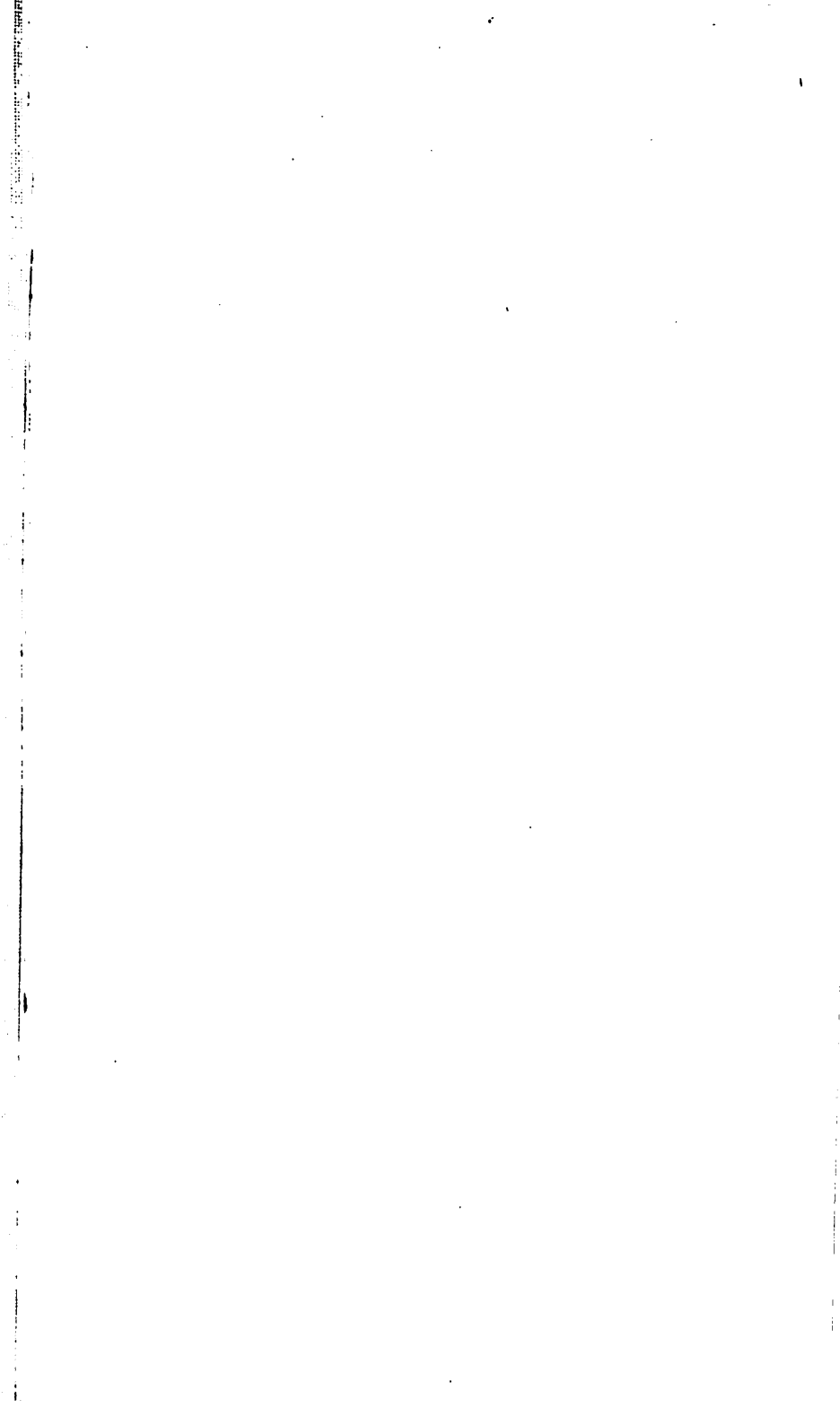


3 3433 07590503 8



234
3.11.14





CBA

Bradley



From a Photograph by Messrs. Elliott and Fry, London.

Br...
1/8/3.
...
...

SPEECHES

BY

CHARLES BRADLAUGH.

1

+

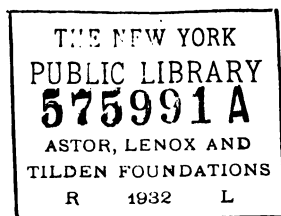


LONDON:

FREETHOUGHT PUBLISHING COMPANY,

63 FLEET STREET, E.C.

—
1890.



LONDON
PRINTED BY A. BONNER,
34 BOUVERIE STREET, FLEET STREET, E.C.

NOV 1934
LIBRARY
VIA RAIL

CONTENTS.

SPEECHES AT THE BAR OF THE HOUSE OF COMMONS :	PAGE.
JUNE 23RD, 1880	1
APRIL 28TH, 1881	8
FEBRUARY 7TH, 1882	13
MAY 4TH, 1883	23
SPEECH AT NORTHAMPTON ON INDIA, NOVEMBER 19TH, 1883	31
——— ON CAPITAL AND LABOR, JANUARY 7TH, 1886 ..	47
SPEECH IN HOUSE OF COMMONS ON MARKET RIGHTS AND TOLLS, APRIL 22ND, 1887	65
——— ON SECOND READING OF AFFIRMATION BILL, MARCH 14TH, 1888	74
——— ON THE COMPULSORY CULTIVATION OF WASTE LANDS, MAY 11TH, 1888	82
BEFORE ROYAL COMMISSION ON MARKET RIGHTS AND TOLLS, JULY, 1888	90
SPEECH IN HOUSE OF COMMONS ON RELIGIOUS PRO- SECUTIONS ABOLITION BILL, APRIL 12TH, 1889	119
——— ON PERPETUAL PENSIONS, MAY 16TH, 1889 ..	126
——— ON THE STORY OF A FAMINE INSURANCE FUND, AUGUST 27TH, 1889	135
SPEECH AT BOMBAY TO INDIAN NATIONAL CONGRESS, DECEMBER 29TH, 1889	152
SPEECH IN HOUSE OF COMMONS ON THE KASH- MIR QUESTION, JULY 3RD, 1890	158

CLOSING ADDRESSES AT CONGRESSES OF THE
NATIONAL SECULAR SOCIETY :

NEWCASTLE-ON-TYNE, JUNE 1ST, 1879	172
LONDON, MAY 16TH, 1880	174
BURY, JUNE 5TH, 1881	178
INTERNATIONAL FREETHOUGHT CONFER- ENCE, LONDON, SEPTEMBER 25TH, 1881 ..	184
EDINBURGH, MAY 28TH, 1882	190
MANCHESTER, MAY 13TH, 1883	194
PLYMOUTH, JUNE 1ST, 1884	199
BIRMINGHAM, MAY 24TH, 1885	203
GLASGOW, JUNE 13TH, 1886	206
SOUTH SHIELDS, MAY 20TH, 1888	209

SPEECHES BY CHARLES BRADLAUGH.

FOUR SPEECHES DELIVERED AT THE BAR OF THE HOUSE OF COMMONS DURING THE PARLIAMENTARY STRUGGLE.

First Speech: June 23rd, 1880.

MR. SPEAKER,—I have to ask the indulgence of every member of this House while, in a position unexampled in the history of this House, I try to give one or two reasons why the resolution which you have read to me should not be enforced.

If it were not unbecoming I should appeal to the traditions of the House against the House itself, and I should point out that in none of its records, so far as my poor reading goes, is there any case in which this House has judged one of its members in his absence, and taken away from that member the constitutional right he has. ('Hear, hear.') There have been members against whom absolute legal disqualification has been urged. No such legal disqualification is ventured to be urged by any member of this House against myself. But even those members have been heard in their places; those members have been listened to before the decision was taken against them; and I ask that this House shall not be less just to myself than it has always been to every one of its members. ('Hear, hear.')

Do you tell me I am unfit to sit amongst you? ('Hear, hear,' and 'Order, order'.) The more reason, then, that this

House should show the generosity which judges show to a criminal, and allow every word he has to say to be heard. But I stand here, Sir, as no criminal. I stand here as the chosen of a constituency of this country, with my duty to that constituency to do. I stand here, Sir—if it will not be considered impertinent to put it so—with the most profound respect for this House, of which I yet hope and mean to form a part, and on whose traditions I should not wish to cast one shadow of reproach. I stand here returned duly; no petition against my return; no impeachment of that return. I stand here returned duly, ready to fulfil every form that this House requires, ready to fulfil every form that the law permits this House to require, ready to do every duty that the law makes incumbent upon me.

I will not in this presence argue whether this House has or has not the right to set its decision against the law, because I should imagine that even the rashest of those who spoke against me would hardly be prepared to put in the mouth of one whom they consider too advanced in politics an argument so dangerous as that might become. I speak within the limits of the law, asking for no favor from this House for myself or for my constituents, but asking the merest justice which has always been accorded to a member of the House. ('Hear, hear,' and 'Order'.) I have to ask indulgence lest the memory of some hard words which have been spoken in my absence should seem to give to what I say a tone of defiance, which it is far from my wish should be there at all; and I am the more eased because although there were words spoken which I had always been taught English gentlemen never said in the absence of an antagonist without notice to him, yet there were also generous and brave words said for one who is at present, I am afraid, a source of trouble and discomfort and hindrance to business. I measure the generous words against the others, and I will only make one appeal through you, Sir, which is, that if the reports be correct that the introduction of other names came with mine in the heat of passion and the warmth of debate, the gentleman who used those words, if such there were, will remember that he was wanting in chivalry, because, while I can answer for

myself, and am able to answer for myself, nothing justified the introduction of any other name beside my own to make a prejudice against me. (Cheers, 'Question,' and 'Order'.)

I fear lest the strength of this House, judicially exercised as I understand it to be—with infrequency of judicial exercise—that the strength of this House makes it forget our relative positions. At present I am pleading at its bar for justice. By right it is there [pointing to the seats] I should plead. It is that right I claim in the name of those who sent me here. No legal disqualification before my election, or it might have been made the ground of petition; no legal disqualification since my election—not even pretended.

It is said: "You might have taken the oath as other members did". I could not help, when I read that, Sir, trying to put myself in the place of each member who said it. I imagined a member of some form of faith who found in the oath words which seemed to him to clash with his faith, but still words which he thought he might utter, but which he would prefer not to utter if there were any other form which the law provided him; and I asked myself whether each of those members would not then have taken the form which was most consonant with his honor and his conscience. If I have not misread, some hon. members seem to think that I have neither honor nor conscience. Is there not some proof to the contrary in the fact that I did not go through the form, believing that there was another right open to me? ('Hear, hear,' and 'Order'.) Is that not some proof that I have honor and conscience?

Of the gentlemen who are now about to measure themselves against the rights of the constituencies of England, I ask what justification have they for that measurement? They have said that I thrust my opinions on the House. I hold here, Sir, the evidence of Sir Thomas Erskine May, and I can find no word of any opinion of mine thrust upon the House at all. I have read—it may be that the reports misrepresent—that the cry of "Atheist" has been raised from that side. [Pointing to the Opposition side.] No word of all mine before the committee put in any terms those theological or anti-theological opinions in.

evidence before the House. I am no more ashamed of my own opinions, which I did not choose—opinions into which I have grown—than any member of this House is ashamed of his; and much as I value the right to sit here, and much as I believe that the justice of this House will accord it to me before the struggle is finished, I would rather relinquish it for ever than it should be thought that by any shadow of hypocrisy I had tried to gain a feigned entrance here by pretending to be what I am not. (Cheers, and cries of 'Order'.)

On the Report of the Committee as it stands, on the evidence before the House, what is the objection to my either affirming or taking the oath? It is said I have no legal right to affirm. I will suppose that to be so. It is the first time that the House has made itself a court of law from which there may be no appeal, and deprived a citizen of his constitutional right of appeal to a court of law to make out what the statute means in dealing with him. There is no case in which this House has overridden everything, and put one of its members where he had no chance of battling for his right at all. Take the oath. It is possible that some of the lawyers, who have disagreed among themselves even upon that (the Opposition) side of the House, may be right, and that I may be wrong in the construction I have put upon the oath; but no such objection can come. There is no precedent—there is, I submit respectfully, no right—in this House to stand between me and the oath which the law provides for me to take: which the statute, under penalty even upon members of this House themselves if they put me out from my just return, gives me the right to take.

What kind of a conflict is provoked here if this resolution be enforced? Not a grave conflict in a court of law, where the judges exclude passion: where they only deal with facts and evidence. I do not mean that these gentlemen do not deal with facts; but, if I am any judge of my own life's story, there have been many things put against myself which I can hardly reckon in the category of facts. I don't mean that they are not right, for hon. members may know more of myself than I do myself; but, judging myself as I know myself, some of the members who have attacked me so glibly during the last few days must have

been extraordinarily misinformed, or must have exceedingly misapprehended the matters they alleged. It has been said that I have paraded and flaunted some obnoxious opinions. I appeal to your justice, Sir, and to that of the members of this House, to say whether my manner has not been as respectful as that of man could be—whether in each case I have not withdrawn when you told me. If I now come here with even the appearance of self-assertion, it is because I would not be a recreant and coward to the constituency that sent me to represent them; and I mean to be as members have been in the best history of this assembly.

I ask the House, in dealing with my rights, to remember how they are acting. It is perfectly true that by a majority they may decide against me now. What are you to do then? Are you going to declare the seat vacant? First, I tell you that you have not the right. The moment I am there [pointing inside the House] I admit the right of the House, of its own good will and pleasure, to expel me. As yet I am not under your jurisdiction. As yet I am under the protection of the law. A return sent me to this House, and I ask you, Sir, as the guardian of the liberties of this House, to give effect to that return. The law says you should, and that this House should. And naturally so; because, if it were not so, any time a majority of members might exclude anyone they pleased.

What has been alleged against me? Politics? Are views on politics urged as a reason why a member should not sit here? Pamphlets have been read: I won't say with accuracy, because I will not libel any of the hon. members who read them; but, surely, if they are grounds for disqualification they are grounds for indictment to be proved against me in a proper fashion. There is no case in all the records of this House in which you have ransacked what a man has written and said in his past life and then challenged him with it here. My theology? It would be impertinent in me, after the utterances of men so widely disagreeing from me that have been made on the side of religious liberty during the past two nights—it would be impertinent in me to add one word save this. It is said that you may deal

with me because I am isolated. I could not help hearing the ring of that word in the lobby as I sat outside last night. But is that a reason, that because I stand alone the House are to do against me what they would not do if I had 100,000 men at my back? (Cries of 'Oh!'.) That is a bad argument, which provokes a reply inconsistent with the dignity of this House, and which I should be sorry to give.

I have not yet used—I hope no passion may tempt me to be using—any words that would seem to savor of even a desire to enter into conflict with this House. I have always taught, preached, and believed in the supremacy of Parliament, and it is not because for a moment the judgment of one Chamber of Parliament should be hostile to me that I am going to deny the ideas I have always held; but I submit that one Chamber of Parliament—even its grandest Chamber, as I have always held this to be—has no right to override the law. The law gives me the right to sign that roll, to take and subscribe the oath, and to take my seat there [pointing to the benches]. I admit that the moment I am in the House, without any reason but your own good will, you can send me away. That is your right. You have full control over your members. But you cannot send me away until I have been heard in my place, not a suppliant as I am now, but with the rightful audience that each member has always had.

There is one phase of my appeal which I am loth indeed to make. I presume you will declare the seat vacant. What do you send me back to Northampton to say? I said before, and I trust I may say again, that this assembly is one in which any man might well be proud to sit—prouder I that I have not some of your traditions and am not of your families, but am of the people, the people that sent me here to speak for them. Do you mean that I am to go back to Northampton as to a court, to appeal against you—that I am to ask the constituency to array themselves against this House? I hope not. If it is to be, it must be. If this House arrays itself against an isolated man—its huge power against one citizen—if it must be, then the battle must be too. But it is not with the constituency of Northampton alone—hon. members need not

mistake—that you will come into conflict if this appeal is to go forward, if the House of Commons is to override the statute law to get rid of even the vilest of members. Had you alleged against me even more than against one man whose name was mentioned in this House last night, I should still have held that the House cannot supersede the rights of the people. But not as much is alleged against me as was alleged against that man, in whose case the House itself said that its conduct had been subversive of the rights of the people. I beg you, for your own sakes, don't put yourselves in that position. I have no desire to wrestle with you for justice. I admit that I have used hard words in my short life, giving men the right in return to say hard things of me; but is it not better that I should have the right to say them to your faces? If they are within the law, let the law deal with me fairly and properly; but, if they are without the law, not unfairly, as I submit you are doing now.

You have the power to send me back; but in appealing to Northampton I must appeal to a tribunal higher than yours—not to courts of law, for I hope the days of conflict between the assembly which makes the law and the tribunals which administer it are passed. It must be a bad day for England and for Great Britain, if we are to be brought again to the time when the judges and those who make the law for the judges are in rash strife as to what they mean. But there is a court to which I shall appeal: the court of public opinion, which will have to express itself. You say it is against me. Possibly; but if it be so, is it against me rightly or wrongly? I am ready to admit, if you please, for the sake of argument, that every opinion I hold is wrong and deserves punishment. Let the law punish it. If you say the law cannot, then you admit that you have no right; and I appeal to public opinion against the iniquity of a decision which overrides the law and denies me justice. I beg your pardon, Sir, and that of the House too, if in this warmth there seems to lack respect for its dignity; and as I shall have, if your decision be against me, to come to that table when your decision is given, I beg you, before the step is taken in which we may both lose our dignity—mine is not much, but yours is that of the Commons of England—I beg

you, before the gauntlet is fatally thrown: I beg you, not in any sort of menace, not in any sort of boast, but as one man against six hundred, to give me that justice which on the other side of this hall the judges would give me were I pleading there before them. (Loud cheers and cries of 'Order', amid which Mr. Bradlaugh again bowed and retired.)

Second Speech: April 28th, 1881.

MR. SPEAKER,—I have again to ask the indulgence of the House while I submit to it a few words in favor of my claim to do that which the law requires me to do.

Perhaps the House will pardon me if I supply an omission, I feel unintentionally made, on the part of the hon. member for Chatham [Sir J. E. Gorst] in some words which have just fallen from him. I understood him to say that he would use a formal statement made by me to the Committee against what the Chancellor of the Duchy had said I had said. I am sure the hon. and learned member for Chatham, who has evidently read the proceedings of the Committee with care, would, if he had thought it fair, have stated to the House that the statement only came from me after an objection made by me—a positive objection on the ground that it related to matters outside this House, and that the House in the course of its history had never inquired into such matters; but I can hardly understand what the member for Chatham meant when he said that he contrasted what I did say with what the Chancellor of the Duchy said I said; for it is not a matter of memory, it is on the proceedings of this House, that being examined formally before the Committee, I stated: "That the essential part of the oath is in the fullest and most complete degree binding upon my honor and conscience, and that the repeating of the words of asseveration does not in the slightest degree weaken the binding of the allegiance on me".

I say now I would not go through any form—much as I value

the right to sit in this House, much as I desire and believe that this House will accord me that right—that I did not mean to be binding upon me without mental reservation, without equivocation. I would go through no form unless it were fully and completely and thoroughly binding upon me as to what it expressed or promised.

Mine has been no easy position for the last twelve months. I have been elected by the free votes of a free constituency. My return is untainted. There is no charge of bribery (cheers), no charge of corruption, nor of inducing men to come drunken to the polling booth. I come here with a pure untainted return—not won by accident. For thirteen long years have I fought for this right—through five contested elections, including this. It is now proposed to prevent me from fulfilling the duty my constituents have placed upon me. You have force; on my side is the law. The hon. and learned member for Plymouth spoke the truth when he said he did not ask the House to treat the matter as a question of law; but the constituencies ask me to treat it as a question of law. I, for them, ask you to treat it as a question of law.

I could understand the feeling that seems to have been manifested were I some great and powerful personage. I could understand it had I a huge influence behind me. I am only one of the people, and you propose to teach them that on a mere technical question you will put a barrier in the way of my doing my duty which you have never put in the way of anyone else.

The question is, has my return on the 9th of April, 1881, anything whatever to impeach it? There is no legal disqualification involved. If there were, it could be raised by petition. The hon. member for Plymouth says the dignity of this House is in question. Do you mean that I can injure the dignity of this House? This House which has stood unrivalled for centuries? This House, supreme among the assemblies of the world? This House, which represents the traditions of liberty? I should not have so libelled you. How is the dignity of this House to be hurt? If what happened before the 9th of April is less than a legal disqualification, it is a matter for the judgment of the constituency and not for you. The constituency has judged me;

it has elected me. I stand here with no legal disqualification upon me. The right of the constituency to return me is an unimpeachable right. I know some gentlemen make light of constituencies; yet without the constituencies you are nothing. It is from them you derive your whole and sole authority. The hon. and learned member for Plymouth treats lightly the legal question. It is dangerous to make light of the law—dangerous, because if you are only going to rely on your strength of force to override the law, you give a bad lesson to men whose morality you impeach as to what should be their duty if emergence ever came. ('Hear, hear.') Always outside the House I have advocated strenuous obedience to the law, and it is under that law that I claim my right.

It is said by the right hon. baronet who interposes between me and my duty that this House has passed some resolution. First, I submit that that resolution does not affect the return of the 9th April. The conditions are entirely different: there is nothing since the date of that return. I submit, next, that, if it did affect it, the resolution was illegal from the beginning. In the words of George Grenville, spoken in this House in 1769, I say, if your resolution goes in the teeth of the law—if against the statute—your resolution is null and void. No word have I uttered outside these walls which has been lacking in respect to the House. I believe the House will do me justice, and I ask it to look at what it is I claim.

I claim to do that which the law says I must. Frankly, I would rather have affirmed. When I came to the table of the House I deemed that I had a legal right to do it. The courts have decided against me, and I am bound by their decision. I have the legal right to do what I propose to do. No resolution of yours can take away that legal right. You may act illegally and hinder me; and unfortunately I have no appeal against you. "Unfortunately" perhaps I should not say. Perhaps it is better that the Chamber which makes the law should never be in conflict with the courts which administer the laws that the Chamber makes. I think the word "unfortunately" was not the word I ought to have used in this argument. But the force that you invoke against the law

to-day may to-morrow be used against you, and the use will be justified by your example. It is a fact that I have no remedy if you rely on your force. I can only be driven into a contest, wearying even to a strong man well supported, ruinous and killing to one man standing by himself—a contest in which, if I succeed, it will be injurious to you as well as to me. Injurious to me because I can only win by lessening your repute, which I desire to maintain. The only court I have the power of appealing to is the court of public opinion, which I have no doubt in the end will do me justice.

The hon. member for Plymouth said I had the manliness on a former occasion to make an avowal of opinions to this House. I did nothing of the kind. I have never, directly or indirectly, said one word about my opinions, and this House has no right to inquire what opinions I may hold outside its walls. The only right is that which the statute gives you; my opinions there is no right to inquire into. I shelter myself under the laws of my country. This is a political assembly, met to decide on the policy of the nation, and not on the religious opinions of the citizens. (Cheers.) While I had the honor of occupying a seat in the House, when questions were raised which touched upon religious matters, I abstained from uttering one word. I did not desire to say one word which might hurt the feelings of even the most tender. ('Hear.')

But it is said, why not have taken the oath quietly? I did not take it then because I thought I had the right to do something else, and I have paid the penalty. I have been plunged in litigation fostered by men who had not the courage to put themselves forward. (Loud cheers below the gangway.) I, a penniless man, should have been ruined, if it had not been that the men in workshop, pit, and factory had enabled me to fight this battle. (Interruption.) I am sorry that hon. members cannot have patience with one pleading as I plead here. It is no light stake, even if you put it on the lowest personal grounds, to risk the ambition of a life on such an issue. It is a right ambition to desire to take part in the councils of the nation, if you bring no store of wisdom with you, and can only learn from the great intellects that we have. ('Hear, hear.') What will

you inquire into? The right hon. baronet would inquire into my opinions. Will you inquire into my conduct, or is it only my opinions you will try here? The hon. member for Plymouth frankly puts it, opinions. If opinions, why not conduct? Why not examine into members' conduct when they come to the table, and see if there be no members in whose way you can put a barrier? ('Hear, hear.') Are members, whose conduct may be obnoxious, to vote my exclusion because to them my opinions are obnoxious? As to any obnoxious views supposed to be held by me, there is no duty imposed upon me to say a word.

The right hon. baronet has said there has been no word of recantation. You have no right to ask me for any recantation. Since the 9th April you have no right to ask me for anything. If you have a legal disqualification, petition, lay it before the judges. When you ask me to make a statement, you are guilty of impertinence to me, of treason to the traditions of this House, and of impeachment of the liberties of the people. My difficulty is that those who have made the most bitter attacks upon me only made them when I was not here to deal with them. One hon. and gallant member recently told his constituents that this would be made a party question, but that the Conservative members had not the courage to speak out against me. I should have thought, from reading "Hansard", not that they wanted courage, but that they had cultivated a reticence that was more just.

I wish to say a word or two on the attempt which has been made to put on the Government of the day complicity in my views. The Liberal party has never aided me in any way to this House. ('Oh!' from the Opposition.) Never. I have fought by myself. I have fought by my own hand. I have been hindered in every way that it was possible to hinder me; and it is only by the help of the people, by the pence of toilers in mine and factory, that I am here to-day, after these five struggles right through thirteen years. I have won my way with them, for I have won their hearts, and now I come to you. Will you send me back from here? Then how? You have the right, but it is the right of force, and not of law. When

I am once seated on these benches, then I am under your jurisdiction. At present I am under the protection of the writ from those who sent me here. I do not want to quote what has happened before; but if there be one lesson which the House has recorded more solemnly than another, it is that there should be no interference with the judgment of a constituency in sending a man to this House against whom there is no statutory disqualification. Let me appeal to the generosity of the House as well as to its strength. It has traditions of liberty on both sides. I do not complain that members on that (the Conservative) side try to keep me out. They act according to their lights, and think my poor services may be injurious to them. (Cries of 'No'.) Then why not let me in? (Cheers.) It must be either a political or a religious question.

I must apologise to the House for trespassing upon its patience. I apologise because I know how generous in its listening it has been from the time of my first speech in it till now. But I ask you now, do not plunge with me into a struggle I would shun. The law gives me no remedy if the House decides against me. Do not mock at the constituencies. If you place yourselves above the law, you leave me no course save lawless agitation instead of reasonable pleading. It is easy to begin such a strife, but none knows how it would end. I have no court, no tribunal to appeal to; you have the strength of your votes at the moment. You think I am an obnoxious man, and that I have no one on my side. If that be so, then the more reason that this House, grand in the strength of its centuries of liberty, should have now that generosity in dealing with one who to-morrow may be forced into a struggle for public opinion against it. (Cheers.)

Third Speech: February 7th, 1882.

MR. SPEAKER,—In addressing the House for the third time from this position, I feel the exceeding difficulty of dealing fairly with myself without dealing unfairly with the House. If I were to

follow the hon. member who has just sat down into his errors of law, of history, and of memory, into his reckless misconceptions as to what are the views I hold and write about, I should only be giving pain to numbers of members here, and departing from that mandate with which my constituents have trusted me. It is—I say it with all respect—not true that I done anything more with reference to the succession than maintain the right of Parliament, meaning by Parliament both Houses, to control it; and any member who pretends that I done anything else, either does it, not having read what I have written, or heard what I have said, or having forgotten entirely what I have written or said, and being extremely careless in representing my views to the House.

I regret that the hon. member [Mr. Newdegate] should have imported into the discussion some fact supposed to have occurred in a police-court since I stood here before. I can only give the House my positive assurance that the hon. member is perfectly inaccurate in his representation of what took place. It is exceedingly painful to bandy words in this way. The hon. member was good enough to say he did not hear. He could not well have heard, for the magistrate did not refuse my affirmation at all. I happened to have been before Sir J. Ingham before, and he knew me, and knew the particular form of affirmation; and when the clerk read it to me no discussion took place on the subject. I hope the House will forgive me for contradicting such a small thing, but small things are sometimes much used. They have been used to work my ruin since I stood here before; and I regret that the shame of reticence did not at least keep it from this House: that the hon. member thought it his duty, by a common informer, to attempt to drive me into the Bankruptcy Court, and outside this House has boasted that the question would be solved in that way. It may be a brave boast, it may be consonant with piety from the hon. member's point of view; but I believe that every other gentleman's sense of piety would revolt against the notion of driving a single man into bankruptcy, and then canvassing for subscriptions—('hear, hear')—for the "bold and vigorous, and patriotic and noble conduct", as the advertisement said, which consisted in hurrying in a cab to

find the common informer to issue a writ against me. I dismiss that, however. I ask the House to pardon me for having wasted its time on this poor thing. I do not hope, I dare not think, that any word I may say here will win one vote; and I would have let this go silently against me, were it not that I owe a duty to the constituency that has twice entrusted me with its suffrages, a duty to every constituency right through the land in time to come—('hear, hear')—whose representative may be challenged as Northampton's has been. ('Hear, hear,' and 'No'.) Some gentlemen say "No", but where is the challenge to stop? ('Hear.')

It is not simply theology, it is politics too. ('Hear, hear.')

It is not simply theology that is brought before the House, but the wild imaginings of some member who, with the nightmare of panic upon him, and a wild imagining of the French Revolution clothed in terrors of which I know nothing, comes here to tell you of mighty Russia successful, and of the unfortunate United States with its Presidents assassinated because of religious and political opinions. Panic of that kind is not evidence as to my opinions. If this House intends to try me for my opinions, let it do it reasonably, and at least have the evidence before it.

I would show you how unfair it is to trust to memory of words. The hon. member was good enough to tell the House that I had declared to a Committee of the House that certain words were meaningless. I hold in my hand the report of the Committee and the minutes of evidence; and no such words exist in any declaration of mine. ('Hear, hear'; and Mr. Newdegate shook his head.) The hon. member does not believe me. I cannot make more than facts. I cannot make the comprehension which should distinguish, when prejudice has determined that nothing shall be right that is put. The only way in which it can be pretended that anything of the kind in reference to the oath can be brought in, is by taking my letter of the 20th of May, written outside the House, which does not contain a specific declaration the hon. member has put into it, which letter I protested ought not to be brought before the Committee at all, which I never volunteered to the Committee—(Opposition laughter)—which I objected to the Committee having before.

them. ('Oh!' and laughter from the Opposition.) The gentlemen who laugh, laugh because the laugh is the only answer that could be given. No reason can be given in reply, no facts can be quoted; and I ask hon. members who laugh to remember that I am pleading as though a quasi-criminal at this bar, and that I have a right to an audience from them; and I appeal to the House at least to give me a silent hearing. Judges do that. If you are unfit to be judges, then do not judge. ('Hear, hear.') It shows, at least, the difficulty of dealing with a question like this, when those who are to judge have come to a judgment already, not upon any facts, but upon what they think ought to be the facts.

I ask the House to deal legally and fairly with me. Legally you are bound to deal; fairly, as an assembly of English gentlemen, you ought to deal with me, even if you have differences with me, even if you think my opinions so obnoxious, even if you think that the politics with which you identify me in your minds are dangerous to you. ('Oh, oh!') If I am not dangerous, why not let me speak there [pointing to the seat he occupied last Session]? If there is no danger, why strain the law? If there is no danger, why disobey the law? It is put by the hon. gentleman who spoke last that there are certain words of the oath which the courts of law have declared essential. The courts of law have declared the exact opposite. So far as a decision has been given, the very report of the Committee shows that the highest court of judicature in this realm has decided the words are not essential to the oath at all.

I ask the House to deal with me with some semblance and show of legality and fairness; and first I say that they ought not to go behind my election of the 9th of April, 1881, and that the House ought to reject the resolution moved by the right hon. gentleman, because it deals with matters which antedate my election, and because the House has nothing to do with me before the 9th of April, 1881. That is the return of which the Clerk at the table has the certificate. That is my only authority for being here. If I did aught before that rendered me unworthy to sit here, why did the House let me sit here from the 2nd of July to the 29th of March? If what I did

entitles the House not to receive me, why has not the House had the courage of its opinions and vacated the seat? Either the seat is mine in law, and in law I claim it from you, or I am unworthy to hold it; and then why not vacate the seat and let the constituency express its opinion again? But my return is unimpeached, it is unimpeachable, and there has been no petition against me. The hon. member who went into back alleys for common informers could not find a petitioner to present a petition against it.

If I speak with temper—(Opposition laughter)—the House, I trust, will pardon me. I have read within the last few days words spoken, not by members of no consequence, but by members occupying high position in this House, which made me wonder if this is the House of Commons to which I aspired so much. I have read that one right hon. member, the member for Whitehaven—(laughter from the Ministerial side)—was prompted to say to his constituents that I was kicked down stairs last Session, and that he hoped I should be again. If it were true that I was kicked downstairs, I would ask the members of the House of Commons on whom the shame, on whom the disgrace, on whom the stigma? I dare not apply this, but history will when I have mouldered, and you too, and our passions are quite gone. But it is not quite true that I was kicked downstairs, and it is a dangerous thing to say that I was, for it means that hon. members who should rely on law rely on force. It is a dangerous provocation to conflict to throw to the people. If I had been as wicked in my thought as some members are reported to have been in their speech, this quarrel, not of my provoking, would assume a future to make us all ashamed.

I beg this House to believe, and I trust, Sir, that you at least will believe me, that I have tried as much as man might to keep the dignity of this House. I submitted last Session, and the Session before, to have things said against me without one word of reply, because having had your good counsel, I felt it might provoke discussion upon matters which this House would willingly not have speech upon, and that I had far better rest under some slight stigma than occupy the House with my personality. I appeal to the recollection of every member of the

House whether from the moment of my entering into it I did not utterly disregard everything that took place prior to my coming into it, and direct myself to the business for which my constituents sent me here.

The most extraordinary statements are made as to my views, statements as inaccurate as those which have fallen, no doubt unconsciously, from the hon. member who has last addressed the House. One noble lord in a great London gathering convoked against me—a gathering which was not as successful as some that have taken place in my favor—denounced me as a Socialist. I do not happen to be one. I happen to think that Socialists are the most unwise and illogical people you can happen to meet. But the noble lord knew that I ought to be something. (Laughter.) I am a red rag to a wild Conservative bull, and it must rush at me and call me Socialist.

I ask this House to be more fair and just. If I am to be tried, at least let me be tried for the opinions I hold and the views I express. Why, there are members who have soiled their tongues with words about social relations and marriage for which I have no proper reply in this House, as unfortunately the forms of the House do not permit me to use the only fitting answer, and perhaps it is as well. But I ask the House, Do not let this be the kind of weapon with which a return is met. Deal with me as the law directs, and in no other way. It is said "You have brought this upon yourself". ('Hear, hear.') One baronet who has spoken of me with a kindness more than I deserve, in the very borough which I represent, said I had brought it upon myself, because when I originally came to the House I flaunted and most ostentatiously put my opinion upon the House. ('Hear, hear.') Well, not one word of that is true. Not a shadow of it is true. I hold in my hand the sworn evidence of Sir Erskine May. I do not ask gentlemen to take my word, for it is clear they will not, but that of their own officer. And when the right hon. baronet said I claimed under the statute, and drew an inference from it, he knows that my claim contained no such words, until the clerk at the table of the House challenged me as to the law under which I claimed. I do not quarrel with him, but I submit that the clerk of the House had

no right to put that question to me. I submit that the House had nothing whatever to do with it—that it certainly is no ostentatious flaunting by me. I submit that, at any rate, it is prior to the 9th of April, 1881, and the House has no right to revive it against me.

I ask the House to try and deal with me with some show of fairness. They will find that when I was before the Committee, instead of obtruding my opinions, I said I had never directly or indirectly obtruded upon the House any of my utterances or publications upon any subject whatever; and when pressed by one of the members sitting on that (the Opposition) side of the House as to certain opinions I was supposed to hold, by asking me particular words I was supposed to have used in a judicial proceeding, I said that if the Committee wished I would answer, but that I objected to answer, because I had carefully refrained from saying any word which would bring my opinions before the House. I therefore ask the House whether it is not monstrously unfair to say that I have obtruded any opinions here when I have expressly, carefully, and thoroughly kept them from the House? But it is said by the right hon. baronet that it would be a profanation to allow me to take the oath, and that the House would be no party to such a profanation. (Opposition cheers.) Does the House mean that it is a party to each oath taken? ('Hear.') There was a time when most clearly it was not so a party. There was a time when the oath was not even taken in the presence of members at all. But does the House mean it is a party now? Was it a party the Session before last? Was it a party when Mr. Hall walked up to that table, cheered by members on the other side who knew his seat was won by deliberate bribery? (Loud Opposition cries of 'Order'.) Bribery sought to be concealed by the most corrupt perjury. Did the House join in it? (Renewed cries of 'Order'.) If the House did not join in it, why did you cheer so that the words of the oath were drowned? But was the House a party when John Stuart Mill sat in this House? ('Hear'; 'No'.)

A member who is, I think, now within the walls of the House—the hon. member for Greenwich—in addressing his constituents, said that Mr. Bradlaugh's opinions were hardly

more objectionable than those of some other members of the House. If the hon. member knew that, then he was a party to the profanation of the oath; but perhaps they were on his own side, and he did not feel the profanation so acutely. ('Hear, hear,' and laughter.)

But it is said, "Our real objection is that you have declared that the oath is not binding upon you". ('Hear, hear,' from Mr. Alderman Fowler.) That is exactly the opposite of what I did declare. The hon. member whose voice I hear now, I unfortunately heard on the 3rd of August, and heard so that I shall never forget it. (Mr. Bradlaugh here looked towards Alderman Fowler and paused.) The hon. member admits that is the point—that I have declared the oath is not binding upon my conscience; but, unfortunately, all the print goes the other way. I am asked by the Committee who sat as to whether the oath is binding, and on page 15 I reply: "Any form that I went through, any oath that I took, I shall regard as binding upon my conscience in the fullest degree; and I would go through no form and take no oath, unless I meant it to be so binding". Again, I am asked as to the word "swear". I say: "I consider when I take an oath it is binding upon my honor and upon my conscience"; and with reference to the words of asseveration to which the hon. member for North Warwickshire referred, he would at least have been more generous towards myself, if generosity be possible with him, if he had said: "I desire to add—and I do this most solemnly and unreservedly—that the taking, and subscribing, and repeating these words of asseveration will in no degree weaken the binding effect of the oath upon my conscience".

I say here, Sir, before you, with all the solemnity man can command, that I know the words of the oath the statute requires me to take; that I am ready to take that oath according to law; and that I will not take an oath without intending it to be binding upon me; and that if I do take the oath it will be binding upon my honor and conscience. (Conservative cries of 'Oh! oh!') Members of the House who are ignorant of what is honor and conscience—(Loud cries of 'Order', 'Oh, oh', and 'Withdraw', from the Opposition.) If members

will allow me to finish my sentence—(Cries of 'Withdraw'.) Members of this House who are ignorant of what is—(Renewed cries from the Opposition of 'Withdraw'.) These (Mr. Bradlaugh pointing to the Opposition benches) are my judges! Members of this House who are ignorant of what is the honor and conscience of the man who stands before them—('Oh', and laughter from the Opposition)—have a right to shout 'Withdraw'; but they must beware lest a greater voice outside—('Oh, oh', and laughter from the Opposition)—at the ballot-box, where it has a right to express it, may not only say 'withdraw', but make withdraw all those who infringe the constitutional rights of the nation, as they seek to infringe them now. If I knew any kind of word which might convince members whom I desire to convince that I would take no pledge that I did not mean to be binding, I would use that form of words. But I have found myself so harshly judged, so unfairly dealt with, that one feels a difficulty in understanding whether any form of words, however often repeated, would convey any kind of conviction to some minds.

I presume that this House will repeat its vote of April 26th. What then? Will it have the courage of its opinions, and vacate my seat? ('Hear, hear.') If it does not, this House leaves me in an unfair position before the law. I am bound to come to this table, and will come to this table, as long as the mandate of my constituents sends me here, unless the House vacates the seat. If my seat be vacated, it is my duty to bow to the House, and appeal to my constituents again; and then the verdict rests with them. But to take away part of the right, and deal with it in this fashion, leaving me with the full legal responsibility and no kind of legal authority, I submit is not generous. Well, will this House repeat its vote of 9th May? Will it substitute force for law? At present the law is on my side. ('No, no,' and 'hear, hear'.) If not, let me sit and sue me. ('Hear, hear.') If not, try by petition. If not, bring an action. But shouting 'No' won't decide the law, even with the united wisdom of the members of this House who shout it.

I know that no man is a good advocate for a great principle unless he himself be worthy of the principle he advocates; and I

have felt acutely the judgment properly passed upon me by many members of this House, who, knowing their superiority to me, say how unworthy I am that this question should be fought in my person. I admit I am unworthy, but it is not my fault that I have this fight to make. I remind you of the words of one of the greatest statesmen who sat in this House more than a hundred years ago, that whenever an infringement of the constitutional right was attempted, it was always attempted in the person of some obnoxious man. ('Hear, hear.')

I ask the House for a moment to carry its mind to the 3rd of August last. I do that because either I do not understand what took place then, or my memory has failed me, as the memory of other hon. members sometimes does, or things happened without my consciousness. I thought I had stood aside until Parliament had dealt with the pressing business of the nation. I thought that had been recognised by this House. I thought I only came saying at the very door of the House that I was ready to obey its lawful orders; and I thought I was then seized by force while saying it. My memory may not serve me well on that, but I think it does. There were plenty of witnesses to the scene. I saw one hon. member climb on to a pedestal to see how fourteen men could struggle with one. It was hardly generous, hardly brave, hardly worthy of the great House of Commons, that those sending out to the whole world lessons of freedom, liberty, and law, should so infringe and so stamp them under foot. I had no remedy in any court, or I would have taken it. With all respect to you, Sir, and the officers of this House, if there had been any possibility of trying at law against the mighty privilege of this House, I would have appealed to that possibility.

Let me now, before I finish, ask the ear of the House for one moment. It is said it is the oath and not the man; but others, more frank, say it is the man and not the oath. Is it the oath and not the man? I am ready to stand aside, say for four or five weeks, without coming to that table, if the House within that time, or within such time as its great needs may demand, will discuss whether an Affirmation Bill shall pass or not. I want to obey the law, and I tell you how I might meet the

House still further, if the House will pardon me for seeming to advise it. Hon. members have said that would be a Bradlaugh Relief Bill. ('Hear, hear.') Bradlaugh is more proud than you are. ('Hear, hear.') Let the Bill pass without applying to elections that have taken place previously, and I will undertake not to claim my seat, and when the Bill has passed I will apply for the Chiltern Hundreds. (Cheers.) I have no fear. If I am not fit for my constituents, they shall dismiss me, but you never shall. The grave alone shall make me yield. ('Hear, hear,' and 'Oh'.)

Fourth Speech: May 4th, 1883.

MR. SPEAKER,—With the indulgence of the House, I desire to submit a very few words in support of my right to take the oath and my seat pursuant to my return. I was elected on the 4th of March of last year, and since that election I have not presented myself for the purpose of taking my seat. The House, after my election, expressed its pleasure that I should not be permitted to obey the law that Session; and this Session the House has been engaged in considering a measure which, if it had passed, would have been a measure which would have rendered it possible, supposing my constituents to have re-elected me, for me to have taken my seat on affirmation. Last night the House felt it right to reject that measure, and now it is my duty to do what the law requires of me, and I ask the indulgence of the members who are hostile to me in the few words which it is my unpleasant duty to address to them.

I ask that indulgence because my position for some time has been one of considerable pain. By the privilege of an unsworn member, I have been within hearing of everything that has taken place in this House; but by the practice of the House I have been precluded from offering the smallest dissent to any phrase, however severe; to any insinuation, however

harsh; to any charge, however much I think it false. My constituents have a right to the voice and speech of two representatives in this House. (Cheers.) That is their unquestionable right. They have chosen me three times in this Parliament to be one of their burgesses; and if I were as vile as some of the members have chosen to describe me, if that vileness imposes no legal disqualification, no one within these walls has a right to challenge the return of my constituents. (Ministerial cheers.) The law requires me to take my seat; it imposes a penalty upon me if I do not take my seat; it gives me privileges which I ought to enjoy while I hold unchallenged this certificate of return; and here I ask whether there ought to be any hindrance between the returned of a constituency, the duty which the law imposes upon him to perform, and the services which his constituents have a right to demand; and I submit that any hindrance which is not justified by law is an act which in itself is flagrantly wrong, whoever may commit it; and that the mere fact that a majority of voices in one Chamber may prevent a citizen from appealing to the law in no sense lessens the iniquity of the illegal act; and that history will so judge it, whatever to-day you may think it your right and your duty to do. ('Hear, hear.')

I listened, Sir, with pain to one dangerous doctrine that was put forward against my admission: viz., that Parliament recognises no rights but its own; and that it never treated those claims—that is, those of the electors of Northampton—for electoral or representative concessions as rights; and that it had always regarded them as high and valuable privileges which it was in its power to withhold or bestow; and that it had never been guided by any other principle than expediency or policy. I submit that that doctrine is treason to the Constitution of England. (Cheers from the Ministerialists.) I submit that the suffrage is a right; and in the famous case of *Ashby v. White* it was decided by the highest courts of judicature in the realm that the suffrage is not a privilege, but a right. And I submit that, while it is true that Parliament has a right to take away, negate, or destroy the right of any citizen in this country, yet that one Chamber is not Parliament, and that neither House,

by its mere resolution, may override, negate, or suspend a law; and although you may have the right of force, that is a bad right to put against the right of the law. (Cheers. Some dissent being expressed by Irish members, Mr. Bradlaugh turned to them and said :) I can only thank the courtesy of the members who interrupt me on my right—(several voices: 'Left')—for their consideration for me in the difficult position in which I am placed; and I will ask the indulgence of the House while I put one or two words of explanation as to matters which have been prominently urged as reason why I should not sit.

It is said, first, that I am a candidate of the Government, put forward by the Government. Surely, if that were true, it would be no great objection in the way of my return; but there is not a particle of truth in it. I stood in 1868 for Northampton to fight the seat of Lord Henley. The present Prime Minister on that occasion thought it his duty to oppose my election, and wrote a letter, against which I then thought I had fair ground of complaint, advising the people of Northampton to return the two sitting members, Lord Henley and Mr. Charles Gilpin. I have never had, directly or indirectly, the smallest aid or assistance from either the present Prime Minister or from any member of the Government, or, to my knowledge, from any member of the Liberal party, in any of the elections I have fought in that borough—('hear, hear')—and when the hon. member who has thought it his duty to come into unfortunate collision with me elsewhere (Mr. Newdegate, who expressed dissent) chooses to contradict that, he contradicts it without the smallest knowledge of the facts. With reference to the allegation made by the right hon. baronet the member for South-West Lancashire (Sir R. Cross), that the late Mr. Adam had in some fashion recommended me to the electors of Northampton, there is not the faintest shadow of foundation for that. I never held the smallest communication, direct or indirect, of any character whatever with Mr. Adam, or with anyone on his behalf, until in this House, in his official position as Commissioner of Works, it was my duty to address questions to him on behalf of my constituents. With that exception, I never had the smallest connexion, direct or indirect, with Mr. Adam or with any mem-

ber of the Government; and to my belief—perhaps it may be incorrect—I have always regarded the Liberal party as standing in the way of my election, rather than as in any way helping my return. (Cheers.) This, however, I submit, was matter unworthy of this House. No such consideration has ever entered at any time into the discussion of any other candidature. ('Hear, hear.') I submit that a great House, which claims the powers of one of the highest courts of these realms, should try to be judicial. (Cheers.)

Then it is said that all that has happened I have brought on myself; that it is not the opinions which were alleged against me, but, to use the words of more than one right hon. and hon. member, the offensive way in which, at the table of the House, I paraded my views, and threw down the gauntlet in the face of the House. There is not a shadow of foundation for that allegation. (Cheers.) The only way in which it is attempted to support the allegation is by saying that, when at the table of the House, and when in writing I claimed to affirm, giving no reasons whatever in support of that, and when thereupon asked under what law I claimed to affirm, I named the statutes; then it is said that that was a declaration of Atheism. But it is not true, and no person with the smallest acquaintance with the law should make such a declaration; though I think that I heard a right hon. and learned gentleman commit himself to the statement that none but Atheists could affirm under the Evidence Amendment Acts, 1869 and 1870. That is not so. By the law prior to the passing of those Acts, any Theist who did not believe in future rewards or punishments was one of those who were not competent to give evidence on oath, who might have been objected to as incompetent, and who became competent to affirm under those statutes. Therefore there was no declaration of Atheism involved in what was said at the table, and no member has a right to examine my opinions. (Cheers.) I have never uttered them in this House. Under great temptation I have refrained from saying a word which could wound the feelings of the most religious, although I have heard within these walls within but a few hours language used by one who had declared his religion which I should have felt ashamed to use in any

decent assembly.¹ (Cheers.) Nothing of my opinions was communicated to this House until the Committee which examined me before it asked whether I had written a certain letter to the *Times*—and it has been stated over and over again on both sides of the House that any declaration in the *Times*, or any declaration outside these walls, is a matter with which Parliament has no concern; but when the Committee insisted I gave way, for I had no desire to be a hypocrite or to conceal my real convictions. I had put, I hope as respectfully as man could put, what I thought a fair reason for the line I took; and although I believe that it was a matter which the House had no right to deal with—entirely without its province—yet when the Committee pressed me upon it I believed that I was dealing with generous English gentlemen, who would not distort what they had asked for into a declaration that I had paraded it at the table of the House. ('Hear, hear.') I had to sit with pain while reckless charges, probably supplied to members by persons not having the responsibility of a seat in this House, have sounded in my ears; and I heard two right hon. members and several hon. members quote against me during this week letters as of "An Avowed Atheist", as expressing my opinions on religion and on family life. They were quoted against me on the 1st and the 3rd of May, although on the 26th of April, in the paper in which these letters were printed, there appeared a declaration that they were not written by an avowed Atheist at all, but by a professing Christian, for the purpose of injuring me and preventing my candidature; and I ask the House whether this is a loyal and brave way to deal with a man who has no right of speech until too late to remedy the wrong done. ('Hear, hear.')

Members have been industrious in reading all the things I have ever written, and many I have not written. One hon. member, the hon. member for the Tower Hamlets (Mr. Ritchie), read to this House phrases which when he read them I could

¹ This referred to some exceedingly filthy and blasphemous language used by Philip Callan, M.P., in the presence and hearing of the Right Hon. Lord R. Grosvenor and other members.

not remember, but which I knew it was impossible that I could have used in the way they were put, because they would have been fatal to the candidature I desired to preserve in Northampton. What do I find? I find that instead of its being in any matter, or happening in any fashion, in connexion with these contests, a portion of a speech attributed to me in a report fifteen years ago has been taken, although at the top of the very paragraph from which the hon. member quoted I find that there is a declaration that I am in no way responsible for what appears in the report. Surely it would have been generous to have said that; it would have been fair to have said that; it would have been just to have said that. (Cheers.) I do not pretend that in everything I have said I have never deserved the blame of this House; but there is a great difference between things deserving blame, and twisting and distorting every phrase to make groundwork for the heaviest punishment that can fall upon a man who desires to serve the constituency which elected him to represent it in this House. ('Hear, hear.')

Then I heard that I had been convicted of circulating a filthy book, and had escaped only by a legal quibble the punishment it was said I deserved. The hon. member who thought it right to say that in this House, might have said that the learned judge who tried me—whose gravestone will perhaps protect him from the charges and insinuations which have been heaped upon the other judges who have had the misfortune to do me justice—(cheers)—the late Lord Chief Justice Cockburn, said: "That the defendants honestly believe that the evils that this work would remedy, arising from over-population and poverty, are so great that these checks may be resorted to as a remedy for the evils, and as bettering the condition of humanity, although there might be things to be avoided, if it were possible to avoid them, and yet remedy the evils which they are to prevent—that such is the honest opinion of the defendants, we, who have read the book, and who have heard what they have said, must do them the justice of believing". Is that the language which one of England's greatest judges would use if he had before him a man charged with circulating a filthy book? And the jury who found me guilty in their verdict

said: "We entirely exonerate the defendants from any corrupt motive in publishing it". ('Hear, hear.') Surely when foul words of condemnation come, a generous and strong opponent would have at least said this on the other side, so that the House might know how far the condemnation was warranted.

I will say no more personally save this: Members who have said that I attacked marriage, that I attacked the family, cannot have read what I have said on either subject. I have never in my life attacked either. Members who charge me with Socialism and Communism are ignorant of the whole history of my life, and of the whole political strife in which I have been engaged. ('Hear, Hear.')

But all these, although they were as true as they are false, give you no right to stand between me and my seat. (Ministerial cheers.) For I ask the House to be logical—(laughter)—I ask the House with all respect to be logical—though I do not doubt that it would be difficult for some members to get into that frame of mind which would enable them to be so. I would ask the House either to declare my seat vacant at once, or introduce a Bill rendering me incapable of sitting for any constituency. (Ministerial cheers.) Deprive me of all civil rights by law, and then I must submit, as better men before me had to submit, whom the Parliament of England attainted and outlawed; but while I have civil rights I will claim them. (Ministerial cheers.) If the law cannot give them to me—and perhaps it is better this House should be above the law—if the law cannot give them to me, then I can only try, wherever voice may go, to show that you, the High Court of Parliament, greater than the law, have trampled on the law—(Ministerial cheers and counter cheers)—and at least try at the hustings and in the ballot-box, when the time comes, that the people whom you say are on your side shall decide, as it is their lawful right to do. (Ministerial cheers.)

I heard a strange phrase from a noble lord, that both sides had gone too far to recede. The House honors me too much in putting me on one side and itself on the other. The House, being strong, should be generous. The strong can recede, the generous can give; but the constituents have a right to more than generosity—they have a right to justice.

(Ministerial cheers.) The law gives me my seat. In the name of the law I ask for it. (Ministerial cheers.) I regret that my personality overshadows the principles involved in this great struggle; but I would ask those who have touched my life, not knowing it, who have found for me vices which I do not remember in the memory of my life, I would ask them whether all can afford to cast the first stone—(Ministerial cheers)—whether, condemning me for my unworthiness, then that, as just judges, they will vacate their own seats, having deprived my constituents of their right here to mine. (Loud Ministerial cheers.)



I N D I A :

HOW WE OBTAINED IT; HOW WE HAVE RULED IT; AND
HOW IT SHOULD BE RULED.

Delivered at the Town Hall, Northampton, November 19th, 1883.

Friends, when I was invited to deliver the annual lecture in aid of the Infirmary, I thought I might do that which would be useful work in taking a subject upon which there is much misinformation and very much misrepresentation. I take this subject really in view of the discussion on the Ilbert Bill; but there is so little known among the general public as to our relations with India that I thought you would permit me to roughly sketch our past connexion with it, and show you what seem to me to be our responsibilities in relation to it.

I am of opinion that we have obtained our authority in India in a great part by means of which we ought to be heartily ashamed. And I think if we continue to govern India there is the weightiest duty upon every Englishman and Englishwoman to take care that the despotic authority of England shall be used as much as it can be to redeem our past and to make our Indian fellow-citizens desirous of being governed by us. Conservative speakers seem to hold a different view. They hold the view that was put forward by Lord Ellenborough in the House of Lords many years ago. He said then: "Our very existence in India depended upon the exclusion of the Natives from military and political power. We have won the Empire of India by the sword, and we must preserve it by the same means." I say that that is a shameful doctrine. I say that is a doctrine which no Englishman, to whatever party he may belong, ought to pro-

pound: and, although my views are well known, I desire to-night not to treat this question in a party spirit. I desire to appeal to Conservatives as well as to Liberals, to Radicals as well as to Liberals and Conservatives, and to urge upon them that there is the common duty of trying to deal with the immense mass of the people of India, so that our Government, if it must continue, shall produce as little misery as may be humanly possible, and as much benefit as we can possibly contrive for them.

I am sorry I did not provide such a map of India for you as could be seen through this hall, because the very appearance of India has something in it of such immensity compared with our own small island, as at once to make us wonder how a handful of Europeans should ever have acquired such authority over that enormous tract of country. It is a pear-shaped triangle. Its northern base, so to speak, if you turn it upside down, is the famous Himalayan range. On its western side it is bounded by the Arabian Sea; and on a great portion of its Eastern side, and on the South East, by the Bay of Bengal. Its apex is the famous Cape Cormorin, a sort of pear-shaped curve, which completes the triangle. Its length and breadth in its widest part are curiously almost the same, namely nearly 1,900 miles; and when you consider that that represents a space of something like one and a half millions of square miles, you will form some idea of the enormous extent of territory with which we have to deal. At the census of 1881 that contained nearly 254 millions of human beings, of whom 198,790,853 were under direct British rule, and the others were in those Native States which are subject to England and which are called mediatised States—States regarded as feudatory to England. So that we have 254 millions of Hindu population—when I say Hindu population I am not using the word in its religious sense, but simply in its geographical sense, to designate the native population. We have as against that, in the same territory, 89,798 British-born subjects, men and women. Deducting the army, which consists of 55,808, we have 33,990 of British subjects controlling the welfare of these 254,000,000. And I would put to you at once that if there were equality of interest, if you had

to measure the desires of the 33,000 against 254,000,000, we should be bound to pay the greatest attention to the wants and needs of the 254,000,000, and, if necessary, to disregard very much the desires of the 33,000—when we remember that they have gone to a foreign land for their own benefit, and the others are there already in the land of their birth, where we are only by right of conquest.

I hope you won't think me wearisome if I trouble you with one or two figures of facts. I know they are always tiresome, but I will make them as interesting as I can. The total expenditure of India for 1882 was £71,113,079. That expenditure has increased 16½ millions in ten years. Now, when you remember that, by over-taxation, famine has resulted in several districts—that the population, the native population, have had no voice, except such small voice as I shall show presently, in relation to that taxation—I put it to you that a gross increase of 16½ millions in ten years either has to be justified by great improvement for the country, or, when we are making subscriptions in aid of starved inhabitants of Hindustan, we ought to consider whether we have helped to starve them first by the pressure we have put upon them. Not only has taxation increased, but so also has the debt. The total debt of India in 1882 was £156,820,614. That debt has increased no less than 15½ millions in ten years; and it has increased 104 millions since the Crown assumed the Government in 1857. It is right that I should say with reference to the increase in 1857 that there was, as I shall have occasion to mention to you presently, an increase of no less than 40 millions of debt in four years in connexion with the Mutiny and its suppression. But let me urge to you that this Indian debt is one we cannot afford to disregard in this country. In the event of any insurrection having a permanent character, that debt having been contracted under English authority, the English taxpayer would have either to pay it or repudiate it.

I won't, till I come to the end of my lecture, discuss further the probabilities involved there. But I will mention to you that which most of you will know, that until 1858 our relation with Hindustan was only in connexion with the East India Com-

pany, a Company which went there simply to make money. Since then we have governed India under what is called the government of the Governor-General in Council, and that is the government of seven persons alone—the Government of Lord Ripon, or whoever may be the Viceroy, and six gentlemen whom I will describe to you. For all purposes, save one, they are supreme. For all purposes, save one, every order they make is an order against which there is only one appeal, namely to public opinion in this country. And I am sorry to say that that is an appeal which is very little likely to be availing, for English people have not paid the attention they ought to have done to India, either in Parliament or out of Parliament. I have seen Indian matters discussed with twenty men languidly sitting or reclining on the benches of the House of Commons. And I have not found amongst the people of England any great interest taken in what may have been the nature of the debate. Yet I ask you, you who rule 254 millions of people, you whose rule, if it be bad, to them may mean crime and disaster—I ask you, of whatever party you are, of whatever religion you are—have you the right to be indifferent to the happiness or misery of 254 millions of people whose destinies you control without appeal? Your judgment being final upon it, I ask, Are you not bound to consider every question that arises, and to influence the decisions that may be come to? (Loud cheers.)

Now, the Governor-General in Council has six for his ordinary Council: one for Finance, one for Legislative matters—and at the present moment the Legislative member is at any rate well-known in England, that is Mr. C. P. Ilbert, whose name is identified with the Bill with which I shall presently have to deal—one for Military matters, one for Public Works, and two members of the Council who divide between them the departments which in this country would figure as Home Office, Post Office, Trade, Education, and Local Government. Now for all purposes, save one, they are supreme. For new legislation they are not. For new legislation the statute requires that every time they legislate there must be summoned not less than eight and not more than twelve additional members, of whom not more than half are to be official: half may be non-official.

And, in addition, wherever the Council may be sitting, that is, whether it be sitting in the Presidency of Bombay, Bengal, or Madras, the Lieutenant-Governor and the Advocate-General of the Presidency where it sits are also invited to those Legislative Councils. So you have twenty members of the Legislative Council, of whom four are now natives, who sit when matters of legislation are brought forward.

There is one thing one ought to say to the credit of Lord Ripon, and that is, for the first time in the history of India, knowing that the Bengal Rent Bill would be one of the matters on which the Council would have to legislate, his lordship has consulted the large associations in Bengal interested in the question as to the man they would like to have nominated to sit on the Council to speak on their behalf. (Cheers.) I only hope this may be only one specimen of wise direction on that subject.

Now, if you please, I want to say a word to our Conservative friends. I want to express my intense regret that any question affecting Indian rule should be made a matter of party cry and party politics. We ought to forget the parties to which we belong in dealing with Indian questions. We ought only to ask ourselves, Is the measure for the advantage of the people of Hindustan? We ought not to ask who introduced it. We ought not to ask who supports it. We ought not to ask which Government brings forward the measure. We ought only to ask, Is it a measure which is just, humane, wise and generous? And then each party should give it their support without reference to who may be Prime Minister, or who the legislative officer who brings it forward. The danger of making Indian questions matters of party cry is this. If the Tory cry now succeeds—I won't say the Tory cry, but the cry put forward by men like the Hon. Edward Stanhope, by men like the Rt. Hon. James Lowther—(ironical laughter and hisses)—if the cry is to be maintained that we are a dominant race, that we won India by the sword and that we are to keep it by the sword, then remember the answer that may come to that cry. The Sikh people may say: "We can fight as well as you. We were loyal during the Mutiny, when nearly all your rule was swept away. We stood by you in the hour of danger. Our swords

have been drawn in your defence." Others may say: "Our regiments have come to Egypt and to Europe at your beck and call; you can no longer rule us by force as you did, because the enterprise and knowledge of the West which belonged to you has been made more common to the world by education, by telegraphs, by steam, by the thousand facilities which civilisation to-day puts at the service of the weakest". And they may say: "If you rely on force, then we will reply by force, unless you treat us so that we may love you, unless you make it so that it is our interest to be with you. If you continually teach us that we are slave and you are master, that we are down and you are up; if you continually teach us that, then we may draw the sword when you are weakest, and our millions will crush your thousands, as they must."

I don't think that the people of Hindustan desire to quarrel with us. I believe that the best educated Hindus, and I have had some opportunity of judging during the last twenty years, are sensible that in the Western world there are resources and traditions which they have not, which will benefit them: and I believe that they desire to work with us. But there is much dissatisfaction in Hindustan. Just think for a moment. Before a native can be a civil servant, before he can occupy any one of the posts which the English Government can give, he must come over to this country to be examined, on the mere risk that he may pass an examination which is not easy even for Englishmen. He has to be examined in English. Look at the cost of such a long journey. Look at the waste of time in such a long journey. Look at the fact that if he be a Hindu he loses caste entirely, and, if he fail, he is entirely an outcast from his own home and people. I say it is a shameful thing. If there are to be competitive examinations for Civil Service, and I think it wise and right there should be, then the candidates should be examined in Calcutta, Bombay, or Madras. Why should they be obliged to cross the ocean? It is a journey none of them ought to be forced to take as a condition of entering Government service. We ought to hold out facilities for competitive examinations, and not raise these great obstacles—we ought to hold out every inducement to natives to become

servants of the Government, if we want to keep our rule in India. Thirty-three thousand cannot hold 254 millions in check; and I put it to you that this matter of Civil Service Reform is one that will have to be dealt with.

But I must follow the line marked out by the title of my lecture. I begin it by saying how we obtained our rule in India. And I say without fear of contradiction that our past in India has been so shameful, so tainted with crime or marked with dishonor, that if it were the history of any other people, every English orator on every platform would denounce it with the strongest words of castigation and shame. We went there very early in the 17th century—perhaps a little to the end of the 16th century. But we are traceable there early in the 17th. The Portuguese and Dutch had gone there before us. The French were rivals with us. We all wanted to trade, but the Portuguese and Dutch were weaker than we, and therefore we immediately came to the conclusion that they had no right to trade there. At first the French were stronger than we, and therefore we made a distinction. The Portuguese and Dutch being the weakest, we arrived at the conclusion that they were pirates. We could not permit such a clashing with British interests; and as they wickedly persisted in trading to places they had been abominable enough to find out before we did, we burned their ships and hanged their crews, and gradually they left off their iniquities.

At first we only went there as simple traders, and in 1613 the East India Company begged leave of the ruler of that part of the territory on the gulf of Cambay, which is now within the Bombay Presidency, to erect a British station at Surat; and directly afterwards they obtained permission to establish another station a little to the north of that at Cambay; and directly after that at Ahmenabad. But these were only factories or shops. We did not claim any right to be there, and paid tribute or rent for the right to have our factories there. Three years after that we came down to the South East, and there we got leave to establish a station at Masulipatam, or rather more East than North East of what is now Madras. About the same time we got leave to establish another station at Calicut,

on the West, almost on a line with Masulipatam. And then—we began to feel our feet.

At first we only asked rulers whether we might have jurisdiction over our own servants; and the rulers granted that, with strict provision that it was not to go any further. Then we found out that we had a great deal of valuable property, and we asked leave to erect Fort St. George, just by what is now Madras; and then, when we began to fortify, we proceeded to kill. We did not kill the inhabitants of the country—they were too strong as yet; but we killed the Portuguese, and we killed the Dutch, and we made short work of them. We made it a rule to whip to death or starve to death the crews of every one of the vessels that was caught trading, declaring that they were pirates of the seas.

This encouraged us, and we began to think it was not worth while asking further leave. We began to take it. Up in the North of the Bay of Bengal, due east of what is now the City of Calcutta, but which then did not exist as a city, and on the coast, was a place called Chittagong. We tried to take it, and the people of Chittagong wickedly resisted. We burned one or two places on the coast, in order to show them that they ought to appreciate the advantages of civilisation which we brought them. We did not succeed, and about the end of the century we humbly petitioned for leave to have trading stations at the three villages of Chuttanatti, Govindpur, and Calcutta. Calcutta has grown from a village to a city since then. In 1742 we were strong enough to steal, and we stole. Perhaps I ought not to say that. I think it would be better to say that finding ourselves strong enough to give the advantages of the civilisation we possessed to the uneducated natives, we brought some of their territory within the benign influence of our rule.

I won't weary you with the stories of what Clive did. You will find them in Macaulay. I will hardly, except for one thing, trouble you with the story of Warren Hastings; but it is needful I should tell you something of that, or you may not comprehend what grievances India has against us. In 1780, Warren Hastings was impeached by the High Court

of Parliament in England, and the grounds of his impeachment which were proved in evidence were these—that he had been guilty of injustice, cruelty and treachery, in hiring British soldiers to extirpate the Rohillas. The Rohillas were the inhabitants of the province of Rohilkund, an agricultural people, with whom we had a solemn treaty of peace; a people who made no war on us, a people who wanted to make no war on us; and yet, for £20,000 in cash, paid to Warren Hastings, and £400,000 paid to the East India Company, British soldiers were hired out to a native Indian prince to devastate their country, burn their towns and villages, kill their people, and ravish their women. He was charged with cruelty to the Emperor Shah Alum, in withholding his tribute; with extortion and oppression in the case of the Rajah of Benares; with ill-treatment of the family of the Vizier of Oude; with improvidence and injustice in his policy towards Faruckabad. He was charged with reducing Oude from a garden to a desert. Think what it means to reduce a country far larger than our own from a garden to a desert—a densely-populated country. It means that people die of starvation in hundreds. It means that a state of things is produced, so horrible as to shock even those who take part in it, and so terrible in its horrors as to surpass the power of imagination to conceive. It means a state of things in which men, women and children are marked for misery, and shame, and death. I will only read you one or two extracts to point what I say. “The cattle were sold, tools pawned, seed-corn eaten, children offered for sale, till purchasers could not be found; and finally the Government were informed by subordinates that the living were known to prey upon the dead. Troops of famished peasants, worn and wan, came crowding into the towns, bringing with them pestilence in various forms, small-pox, dysentery, and fever, and spreading terror and dismay among rich men and rulers. Death did not heed being told to begone. Its carnival was come, and the ghastly revel was prolonged from week to week and from month to month, till the gravedigger was weary, and the jackal and vulture grew lazy and tame.”

You may ask, what is the use of reviving these things of

one hundred years ago? I revive them because in 1879, when a Tory Government wanted to extract money from the North Western Provinces of India, when Sir George Coupar, our governor there, petitioned that the taxes should not be enforced, and told the Government that if they enforced them the people would be unable to cultivate their fields, the Government insisted upon their enforcement, and within a period of four months 250,000 people perished of starvation, and tens of thousands died, because the tax-gatherer had robbed them of the means of cultivating their fields.

I cannot go through the story of vice-royalty after vice-royalty. It is enough to say that it is one page after another of war and annexation. Every Viceroy who annexed territory had a step in the peerage. Every Viceroy who annexed territory figured amongst the grandees of our land. He had example. He knew that he should not be punished, for when Warren Hastings was impeached Lady Hastings brought diamonds to Queen Caroline, and King and Queen canvassed the peers for an acquittal.

This sort of thing ended in mutiny. "Greased cartridges" has been the story; but the annexations of Lord Dalhousie, the seizure of Oude, and other cases of territorial rapacity, were the real cause. The "greased cartridges" were but the spark; there would have been no explosion if the powder had not been already there. It is not that which lies on the immediate surface that unlooses revolution. The causes of each revolution grow in the miseries of the people for long generations, and the outbreak comes when you least expect it.

It is no part of my duty to-night to tell the terrible story of the Mutiny, or the more terrible story of its repression. If the Mutiny was wicked, our repression of it was cruel, murderous, and abominable. Nay, when Canning went there as Governor-General, from 1858 to 1862, because he tried to be just he was mocked with the title of "Clemency Canning", as though clemency were a shame, when in a judge clemency is the highest honor. Yet in the peerage of Canning his clemency will shine when the gems which he wore are forgotten.

I admit that the rulers of Hindustan have since then made

efforts at wise legislation. The Penal Act of 1860 and the Codes of Civil and Criminal Procedure of 1861 stand out as marks of that wisdom. But I will ask you to remember that the Hindus have to forget their history before they will love us. They have to forget the frauds, the perjuries, the villainies that have been perpetrated. They have to forget their burnt cities and their ruined homes. They have to forget the wrongs of their ancestors. And they have only now, if we want to hold them, the guarantees of the future; and unless we make that future full of brightness and of hope, unless we try to show that our professions of freedom are not a sham, unless we try to show that the civilisation of which we boast, and the benevolence which, in famine time, we so widely advertise, are not all false, not all a sham, we must show that we can be just and generous to these people.

Now the questions which will be dealt with by the Government-General in Council, almost immediately, are important questions. There is the Bengal Rent Bill, the Local Government Bill, some measure in connexion with Civil Service Reform, and the Ilbert Bill.

I confine myself now particularly to the Ilbert Bill, because that is the question on which it is most needful to speak. And I ask first, What is this Ilbert Bill? Because I hold in my hand a memorial sent to me, as to every other member of Parliament, against that Bill. You will find the Ilbert Bill best explained, popularly, in a speech made last week at Bristol by Lord Northbrook. I shall use that speech, or some extracts from it, because Lord Northbrook speaks with the authority due to the words of one who himself has been Viceroy of India—from 1872 to 1876. I will ask those who attack Lord Northbrook to remember that he was honorable enough to give up what is probably nearly the highest office an Englishman can hold in the world—the position of controller of the destinies of 250 millions of human beings—rather than be guilty of a falsehood towards these people.

Lord Northbrook, speaking of this Bill, reminds those to whom he speaks that so long ago as 1833 the then responsible Minister in England, as against the East India Company, used

these words: "I wish it to be clearly understood that whatever may be the immediate regulations of the Governor-General and the India Council, no European shall enter India except upon the condition of being placed under the same laws and tribunals as the natives". There is nothing unfair in that. If you go to a foreign country for your own benefit, why should you have a superior position to the people who belong to that country and to whom that country belongs? You are an intruder there. The least you can do is to meet them on a footing of equality. And if you go as a conqueror and shelter yourself like a coward and a mean rascal behind the bayonets of the soldiery, then you have no claim on the sympathies of intelligent people. Lord Northbrook points out that in pursuance of this a law was passed by which Englishmen were made subject to all the civil laws of the country; and, at the present moment, Englishmen in all things over that one-and-a-half million square miles are subject to the Civil Judges, whether they be native or European. In addition to that, in all the cities of the Presidencies, Calcutta, Madras, and Bombay, Englishmen were made also subject to the same Criminal Code and to the same Judges, whether they were native or whether they were European. I will ask you to remember that the bulk of these 33,000 people are precisely within the cities of Calcutta, of Bombay, and of Madras, that it is a small proportion of them only who are scattered through the country, and that proportion not the most creditable.

I hold here a Government Report, not a Report of a party character, but a Report made under the authority of Governments, both Conservative and Liberal; and I find that since railways have commenced, "mean whites" or European vagrants have begun to spread over the country, and are increasing in numbers, so that efforts have been made to grapple with this evil. This Report has not been made for the Ilbert Bill, for it was printed nine years before the Ilbert Bill was proposed. The gaols and workhouses have found in them too many of these European vagrants. But none of these have been subject to Criminal Law, because there was no European Judge; and, in order to get them tried, you had to send them to

the High Court of Madras, Calcutta, or Bombay. Often you could not transport the witnesses thither, and therefore there was a failure and miscarriage of justice.

The Ilbert Bill is to remedy this, to give the same jurisdiction outside the Presidency cities as exists inside. There is no damage done. The Englishman will still have a right of appeal. He may appeal to the Sessions Court or to the High Court. He may be tried by a jury, half of which shall be composed of Englishmen or Americans, in cases in which the law provides there shall be a jury; and there is no sort of pretence of any injustice at all. What are the objections? The objections are urged in this memorial. The objections are also urged not simply by wild Tory speakers at after-dinner banquets—they are also urged by a man whose words I desire to treat with the most profound respect—I mean Mr. Justice Stephen. Now Mr. Justice Stephen claims that the Ilbert Bill ought not to be accepted because it is the privilege of the European not to be tried by a Hindu. I deny that privilege. If an Englishman puts himself in contact with the Hindu, knowingly beforehand, he is bound to submit himself to the law and he has no right to privilege which prevents his crime from punishment.

The objections to the Bill are stated by Lord Northbrook; and before I refer to the memorial I will give Lord Northbrook's statement of them. First, that Englishmen in India are a dominant race, with right to be tried by their own countrymen only; secondly, that a change in the law is unnecessary; and, lastly, that for various reasons native judges are not to be trusted to try Englishmen. But, as a matter of fact, native judges have tried Englishmen ever since this English law which has been in existence nearly fifty years; and there have been no complaints of their injustice or unfairness. Curiously, it was one of the native magistrates who recently dealt with an important case in which religion was involved. It was a native Indian judge who dealt with the Salvation Army riots; and on that decision I have not heard any complaint that he was unjust or unfair. As a matter of fact, Jews, Mahometans, Parsees, men of every sort and-creed, are tried without reference

to their creed, and there has been no pretence for saying that the law has been unfairly administered.

Now what does this memorial say? That is, the memorial of the Europeans who object to the Bill. "Not only are Europeans in the interior of the country isolated in the sense of being solitary units in the midst of tens of thousands of an alien race, but, by reason of difference of language, habits, and feelings, and the absence of common ties and sympathies, they are also morally and socially isolated from the natives around them." The people who have no sympathy with the natives amongst whom they go, should not go there; they should not go amongst them if they intend to regard them as an alien race. And if they go they have no right to ask us to protect them with the sword, because they do not choose to be sympathetic with the natives to whom it is their profit to go. I am afraid of being wearisome in putting this question—but I have to ask you when a memorial urges, as this memorial does, that there will be false charges, and that people will be unfairly tried—I have to ask if these things happen? There are false charges in every court in the world. But here justice has been administered by these very natives in the three most densely-populated cities, where most Englishmen have congregated, and there has been no such complaint.

Now, what is the character of the Hindus? And I take again this Report, which is a statement of the moral and material progress of India—a Government Report printed in 1874, and which is continued year by year. What does it say of the people? It says that, as a rule, they are "chaste, honest, peaceful, singularly docile, easily governed, and patient".

Why should we insult these people? I ask you who have made my poor words of service to the Infirmary by crowding this hall, I ask you—and I would have you forget the speaker in the sentiment I put—I ask you who really dislike me, or who are in any way against me—do not let these people feel that you intend to treat them always as a conquered race. If you do, they will despair of justice, and they will try revenge. If you hold them only by force they will break the fetters when they can, and strike back with the steel when the steel is in their

hands. The past we cannot change, but we may redeem it. The shame of yesterday exists, but we may make the glory of to-morrow so great that the people may forget the iniquity which preceded it. We cannot make glory by dominance. That is a brute doctrine, the doctrine of the days when men cased themselves in armor and pierced their way with steel. It is the school, the lessons of equal justice, interest, and love, that will win to-day.

I appeal to you to protest in favor of this Ilbert Bill as the measure of your desire to do justice to those whom you have wronged.

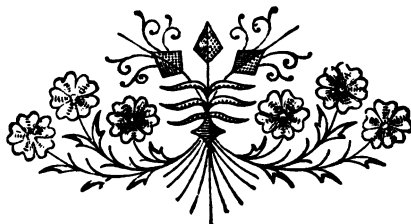
The Tories are talking in their meetings of a Mr. Atkin, or Atkins, who has come here to represent somebody. I received a strong letter from Madras last week asking me to assure every audience I addressed, or any people with whom I had influence, that he represented nobody but those who had paid him to do their official work. He does not represent the people. And if he did, the people who want you to rule by the sword don't deserve to be represented.

We don't want to rule India by the sword. We want to put before the people of India a future in which, if they will be patient, as they have been, they may climb, slowly it may be, but surely, to the fullest right of self-government, in course of time.

We know that India is populated with divers races, that, having broken up their old systems, they may not be able to climb to the fullest enjoyment of freedom at once. They may have to climb slowly and painfully, but that will give them the opportunity of making their way upward all the more surely. We will not shut the door in their face. If we are to rule these 250 millions of people at all, we must rule them not in the way in which we have gone to their country and taken possession of it, but in the way in which we should like to be ruled if it had been their people who had come and taken possession of our country.

I regret that it should be needful, before an audience speaking the tongue which pretends to be identified with the traditions of liberty, to make such an appeal; but it is needful. When we

find words of mocking go from such gatherings as the recent Conservative banquet at Wellingborough; when we find words of mocking go from a Conservative banquet at Bristol; when we are told that Mr. Gladstone wants to put the Englishman with his neck under the heel of the Hindu; I say either these men are uttering wild and mad things, that they do not think, or are uttering wicked things that they may provoke an echo from the other side. The Hindus have been brave enough to fight beside us, loyal enough to keep our rule. We, at least, owe them that, having taken their land with the strong hand, we shall hold it as gently as it is possible for human hand to hold.



CAPITAL AND LABOR.

Delivered at the Town Hall, Northampton, on January 7th, 1886.

There is probably no subject on which any man could be invited to speak more serious—not only in its actual influence, but in what must come from it during the next few years—than that of Capital and Labor. In old times the laborer was not reckoned at all, except perhaps as a superior sort of animal—a kind of conscious machine. He was never treated as a human being to be reasoned with. If any of you take up any of the old Roman books you find work and slavery not simply immediately connected, but both having nearly the same signification—in fact, in your language there is even yet preserved the evidence of that old slave notion. In connexion with all kinds of labor, the man who directed the labor was called master, the man who performed the labor was called servant; and the servant, or serf, or slave, or bond-man, was owned by his lord and master, owned as to life and to liberty—as to brain it was seldom considered.

During late years there has been a vast change; but Professor Thorold Rogers, in a volume—or rather two volumes—recently issued, entitled, “Six Centuries of Work and Wages”, says that “the pauperism and degradation of the English laborer were the result of a series of Acts of Parliament and acts of government which were designed or adopted with the express purpose of compelling the laborer to work at the lowest rate of wages possible, and which succeeded at last in effecting that purpose”. And if you look back to our old legislation you would be astounded: there were statutes directing that wage should not exceed this amount or that amount; there were

statutes making it crime to claim higher wages; there were statutes against combinations of workers, and the people were treated as dangerous—not as men, not as women, but as the lower classes—the dangerous classes, and the treatment sometimes made them so. Men who were not reckoned with as thinking human beings, sometimes, in times of despair, times of political excitement, times of starvation, times of anger, acted as though they were unthinking, wild, ferocious beasts. If you use the whip, the whipped one turns sometimes; if you use the fetter, when the fetter breaks there is no restraining influence on the hand; if you constantly drive by fear, if there is no outlet of hope, if there is no opportunity, no sort of break in the dark life, then when the day of mischief comes it is fearful. And in every country it has been so. In the past times the uprisings of the poor, the revolts of the slaves, the wars of the peasants, the revolution of the starved of France—and, coming to more modern times, the riots of the Blanketteers in Lancashire, and in various trades—these all were when men had no right of meeting, when such a meeting as this could not have been held, when the fact that a trades organisation convened a meeting for a man to address it on the relations between capital and labor would have been considered such an element of danger that the magistrates would have prevented it, the military would have been called in to disperse it, and the people who took part in planning it would have been prosecuted.

It is perfectly true, as Professor Thorold Rogers points out, that there have been great changes. Laws have been repealed. "The despotic law", he says, "of parochial settlement has been materially modified; working-men are no longer liable to imprisonment and penal servitude for trying to sell their labor at the best advantage; and the wages of labor are no longer mulcted by Corn Laws and other restraints of trade." But although that is true, many of the effects of old bad laws still remain.

Trades Unions, which have only had legal protection for comparatively the last few years, have not yet been able to grow into the exercise of the full moral control which I trust they will exercise

by-and-by. Take for example one of the latest classes of labor in which organisation has been attempted—I mean the agricultural laborers. If it had not been for the work of men like Joseph Arch and a number of others who have been associated with him, especially for the last fifteen or twenty years, the Franchise just acquired would have been simply a weapon for mischief rather than a tool for utility—simply a sword for mischief rather than a shield for defence. It would not have been, as it is in the hands of educated persons, the opportunity of delivering a verdict, the opportunity of exercising a judgment; it would only have been an opportunity for mischief, because the class had ever been oppressed and there did not seem a possibility of their redemption. But Mr. Arch has taught that class the advantages of organisation; he has taught them the advantages of education; he has taught them the advantages of sober, steady work for the deliverance of their fellows; and he has enabled them to play a part in the election which has just taken place which has won the admiration even of their foes by the judgment they have exercised.

In dealing with the relations of labor and capital, I occupy an exceedingly difficult position: I have no capital, and I have hardly the right, save that of sympathy, to speak for those who are ordinarily called those who live by labor—not that my life is ever free from labor, or that my day is ever an idle one—and I have the difficulty in trying to treat the subject impartially, as I hope I shall; fairly, as I trust I may; but with my sympathy with those of whom I was born, and to whom I belong—the poor of this land—I feel that I render myself open to criticism, open perhaps to reproach, from both sides. Those who own capital may fear my counsels as extravagant, and those who plead for labor may think me diffident and hesitating in the remedies I recommend; and yet I trust that all will do me this justice: that I shall not speak simply to please, that I shall not counsel simply to gain favor, and that the language I use is the language I have used for more than a quarter of a century of my life to those who have permitted me from time to time to address them on subjects of this character.

I take it then that by all reasonable men, the laborer is to-day reckoned with not as a servant, not as a mere serf or slave, but he is reckoned with as a person, who has his labor to sell, and who is entitled to make a fair bargain for that labor before the world; and there is neither inferiority nor superiority between the buyer of labor and the seller, so long as they are both honest; that the inferiority comes in when either tries to cheat. If, trade being good, if, profit being large, the owner of capital conceals the fact of his large profit and the goodness of his trade, in order to extort from the hungry seller of labor a hard bargain and a harsh contract, then that employer is lower than the laborer whom he cheats. If the laborer, having agreed to labor, having contracted to perform a duty, is idle, lazy, dishonest, fraudulent, then he is the lower, and he deserves the contempt and scorn of those whose labor he ruins by his dishonesty.

Unfortunately the purchaser of labor and the seller of labor do not meet on equal conditions. The laborer must sell his labor at a fair price or starve; the capitalist who does not buy his labor may live, sometimes comfortably, till better times come. Hunger cannot wait; if the man would, his wife cannot; if his wife would, the children cannot—there must be breakfast, there must be food, and hunger frightens often a weak man into having day by day less than he should have in his struggle of life.

I propose to enquire what are the rights of labor, what its duties; what the rights and privileges of capital, what the duties of those who possess it. I affirm that every laborer willing to work has the right to life: and by life I do not mean merely existence from day to day; I do not mean merely continuing on sufferance from to-day till to-morrow; I do not mean one constant round of toil that makes all life a gloomy cloud, and has no gleam of sunshine in it—I mean life, reasonable life, life with leisure in it, life with hope in it, life with relaxation in it, life with fair reasonable shelter, food, clothing, won by the wage-earner for himself, and for those of his family who are yet unable to win it—short enough hours of toil to give possibility of enjoyment for all, education for all, hope

for all; time sometimes for music, if music may be; time for looking at sculpture, if sculpture be near; time for pictures, if pictures be gathered in your public galleries; and if you tell me that music, poetry, sculpture, and painting are luxuries, I say they may be luxuries for the rich, but they should be necessities for the poor, the gleams of sunshine softening life and making it worth living. How can you wonder at men being rough and brutal, whose life has nothing soft, cheering, or humanising in it? How can you wonder at men using rough words and coarse epithets, if no harmony comes into their daily life? How can you wonder at the surroundings of men being brutal, if you never show them the beautiful, or give them the opportunity of imparting their knowledge of it to those whom they rear around them?

In the report issued in 1875 by the Labor Bureau of Massachusetts the Chief Commissioner, Mr. Carrol D. Wright, a gentleman to whom labor is much indebted, says, in a report made by him under the Legislature to the Senate of Massachusetts: "It seems natural and just that a man's labor should be worth, and that his wages should be, as much as, with economy and prudence, will comfortably maintain himself and family, enable him to educate his children, and also to lay by enough for his decent support when his laboring powers have failed". If you tell me that in any country a laborer cannot win that much, then I say that must be a pitiful country, a country that ought not to be able to afford any Rothschilds, that ought not to be able to indulge in any wars, that ought not to be able to afford any costly generals, that ought not to waste any of its money in cannon, that ought to be economical in Royal grants, and sparing in the matter of pensions. I can understand that there may be countries where trade is so bad, where commerce is slack, where enterprise has been so crushed, that no kind of effort can bring anything in surplus over subsistence, but England, at any rate, is not one of those countries yet. And such an unhappy land should be the country where there are no great landlords; that should be the country where there were no enormous rent-rolls; that should be the country where no man could take huge royalties from mines and

minerals, and, being himself worth his hundreds of thousands, say that labor has too much, and is driving the trade away.

What are the rights of capital? For capital has rights. There are people who talk absolute nonsense, and say that capital should be given without interest and used without profit to the capitalist, and who talk of forcible revolution against the capitalist class. Those men are either enemies of the people, or they are idiots; they are either traitors to the people, or they are madmen. If you want to dig a field and you have no spade, if you can earn something by digging and some other one has that spade, you must pay for the loan and user of that spade. It is impossible that capital will enterprise itself to make you live more easily unless capital has some inducement.

What is capital? Sir Thomas Brassey, speaking at the Industrial Remuneration Conference—and I think that was a good sign: rich men and poor men, men with millions and men with nothing, met together in Piccadilly, London, in 1885, to discuss if it were possible to improve the relations between capital and labor. It is the first time that that ever was done in England. It should be done again and again, until working men and the people owning capital understand one another, so that lock-outs and strikes will be regarded as insanities of the past, and not weapons with which either should meet the other. Sir Thomas Brassey, speaking at the Industrial Remuneration Conference, speaking as a representative of capital, used these three phrases. He said: "(1) Abstinence from enjoyment is the only source of capital; (2) it is upon the increase of capital that advances of wages depend; (3) while labor is the vivifying principle which preserves capital from decay". Permit me to make one or two comments on the first and second parts of this proposition. While it is true that all capital arises from abstinence from enjoyment, it is not true that capital is to be found always, or mostly, in the hands of those who abstain. The enormous accumulations of capital in the hands of an Overstone, a Baring, a Rothschild, or Vanderbilt—these did not come by any stroke of wit: there is no fashion of striking one blow upon the rock and a stream of capital pouring out. This capital

represented pence there, shillings here, pounds there, which were the surplus which men created by their labor, beyond what those men had to live upon. If men could save amongst themselves, if men would knit their savings together amongst themselves for trade enterprises which they all understood, the capital and profit would pass into their hands. That will not come to-day nor to-morrow—and I will tell you why: you are not educated enough for that; you mistrust one another too much—not until men trust one another more—and that means until you are truer to one another, for you would not mistrust one another so much if you were all true to one another; it is because so many of you know that in the struggle of life, sometimes driven by hardship, I admit, you have pushed others out of your way, that you do not trust your fellows as much as you should.

The accumulations of produce, of labor, are capital. Those accumulations come into the hands of the crafty sometimes, the clever sometimes. Sometimes the crafty and the clever leave them to fools after them. But whoever may have the accumulated wealth, you cannot expect, if you have nothing but your labor, nothing but your muscle and sinew, that capital shall clothe you, feed you, while you are working, unless you pay capital something for it. Capital is entitled to fair profit and reasonable insurance against loss, and to hope for some prize for the capitalist in the struggle of life, or he would not make the endeavor. Men will not risk thousands in hazardous speculations, say, of mining or manufacture, hundreds of thousands in enterprises which may fail, unless they have some hope that they will gain some possible prizes.

The mistake that capital has made—and the mistake that labor has made too, but that capital made with its eyes open, and labor never having been permitted to see—was that they believed that the interests of capital and labor were hostile to one another, and the man who bought labor bought it as they buy pigs, except that he bought it to starve instead of to fatten. Wiser councils are prevailing, wiser thoughts are growing; it is beginning to be admitted that hostility between capital and labor is injurious to both, and it is beginning to be urged that

the best method for men to grow rich is to give the opportunity to those who make their riches of sharing some of the enjoyments that are accompanying the work they conduct. Unfortunately many employers of labor have deemed, and some still deem, that it is good policy to get labor too cheap. It is not, not even for them; for if you buy labor too cheap, that is, if you buy it so that it leaves the laborer no margin, if you buy so that the purchase involves poverty and hunger, what happens? That poverty you have to feed; you have unwholesome and dangerous employment; you have unhealthy and immoral dwellings; you have disease; and you have crime. Poverty, disease, and crime, cost more when they break out into mischief both to rich and poor than any possible advantage in the temporary bargain. I copied to-day from a report of the Agricultural Commission of 1867 some words written by the then Rev. John Fraser, whom many of you have since known as the Bishop of Manchester—whose death all regret, whether they are friend or foe to him, for he was a man who, although very ardent in his faith, although very bitter against those he disagreed with, was a good earnest true man, endeavoring to make life better for all, and devoting himself, according to his light, to the task of so making it. Now he, dealing with the Agricultural Laborer, said, speaking of some dwellings he visited: "Modesty must be an unknown virtue, decency an unimaginable thing, where in one small chamber, with the beds lying as thickly as they can be packed, father, mother, young men, lads, grown and growing-up girls—two and sometimes three generations—are herded promiscuously: where every operation of the toilette and of nature—dressings, undressings, births, deaths—is performed by each within the sight or hearing of all; where children of both sexes to as high an age as twelve or fourteen, or even more, occupy the same bed; where the whole atmosphere is sensual, and human nature is degraded into something below the level of the swine. It is a hideous picture; and the picture is drawn from life." That is what the Bishop of Manchester said in 1867. You may tell me, "That is 18 years ago". But there was a Commission on the Housing of the Poor, which reported during last year, and they said, not of

agricultural districts or country places, but of great cities, like Liverpool, like Manchester, like London itself, almost under the very shelter of palaces, close to warehouses where millions of pounds-worth of goods were stored, they said that in little rooms, in filthy alleys, that even now in London itself, you could find more than one family in one room, and several families in one house. There it is where typhoid comes, there it is where small-pox touches, there it is where fever rages; it is on the hungry, on the poor, on the miserable, that squalor and disease lay their foul touch; and the men who bought their labor too cheap, the men who exacted from them the sale in despair, pay in crime—these make the burglars, these the robbers in the streets; and the gaol and the poor-house stand as monuments to mark the crime of the nefarious transaction.

I am encouraged to hope because there has been a vast change in the last few years. Sir Thomas Brassey said: "It is in the highest degree desirable, as far as possible, to liberate industry from the deadening influence caused by the antagonism between capital and labor". Sir Thomas Brassey said that which Trades Union leaders had been assailed for saying. It was thought that there could be no hostility, that capital was so strong that it could ride over all; and in some countries it has. It has done it in Russia, it has done it in parts of Austria, it has done it in parts of Italy; and you have Socialism, internationalism, anarchism: the revolt of hunger, and the stiletto, dynamite, and other explosives. These are the results of ignorance, misery, poverty, and despair, breaking out of all control. The question is, how can capital and labor be reconciled; how far is the reconciliation possible?

Once the capitalist foolishly thought that an Act of Parliament would do his work, and enacted that a man should not do more than so much. You have only to read the story of it all in your own country in Thorold Rogers' "Six Centuries of Work and Wages". You read stories of battles, battles where generals lead, battles where men draw the sword; but any real history of the struggle of work for wages contains the narratives of battles more severe, more enduring, more full of

pain, more full of heroism too; battles where the men are working that men may live, not die; battles for their wives' lives, battles for their children's lives, battling with pick and bar, battling in the mine against fire-damp, gas, and water—the one blows them limb from limb, another stifles them, another drowns them. And the workers go, with the courage of despair, day by day down in the cage again, always facing death in this never-ceasing struggle for life; and these make the heroes out of whom the country grows.

I say that capital and labor may be reconciled by treating men fairly and reasonably on one side, and by the laborers knitting themselves together in the effort to try and treat others fairly and reasonably too. I will not disguise the difficulties; I know there are many; I know that when disputes arise, on the one side the employer thinks you are doing something unfair if you ask him how much profit he makes, and on the other you are not sufficiently careful sometimes when you think how little profit he may make. Sir Thomas Brassey—and you will pardon me quoting him so often, but it was a speech he made at the Industrial Conference, which has not been enough commented upon—said “The rate of profit in business is a subject of great importance to the laborer”. That was perhaps the first time that that was so plainly admitted by a great employer of labor. The employers of labor have said, “You have no right to know our profits”. The truth is that you have a right to know and the duty to submit. And what you have the right to say is: “But you have never told us your profits. We have seen some growing rich, and we thought all could; we have seen some have costly mansions, and we knew sometimes we had no carpet to our floors, and we cannot help noticing it.” Sir Thomas Brassey says, “More or less, wages must follow the fluctuations in profits”. Men say, “Yes, we are content with that, if they shall follow them upwards as well as downwards”. “In many cases and in many trades”, Sir Thomas Brassey says, “the want of correct information as to the profits realised by their employers constitutes a great difficulty as to workmen. They do not know when to press their demand, nor when to

acquiesce in reduction in the rate of remuneration for their labor."

Mr. Giffen, in an essay on the progress of the working classes during fifty years prior to 1883, points out that by the end of 1883 there had been a general improvement in the wage of the classes he deals with; but Professor Thorold Rogers makes a comment upon that which ought to have special interest for you. He says: "It is noteworthy that the kinds of labor for which Mr. Giffen has adduced evidence have all been aided and protected by Trades Unions". That is, in England, where men have stood alone the stronger have pushed them down; and it is only where they have been organised, well organised, carefully led, thoroughly trusting, that they have been able to realise the improvement in their wage, which should go with the improvement of profits made. This shows the clear advantage of association. It is the old fable of the bundle of sticks: the one broken by itself with ease; impossible for the strongest man to break the bundle on his knee—he can but hurt his own knee in the endeavor.

Now men of capital have long recognised the advantages of association. The great bankers, the great railways, the great canal companies, the tramways, the insurance companies, all these are associations of people of capital, and do together what one or two cannot do by themselves. And you ought to learn the lesson too, why it is that there is much of the capital, that the bankers use, from your shillings and from your sixpences which you put into the savings bank, and which they are able to use better than you. Why better than you? If you put them together under special control in your own hands, why should not you use them as well? It is not because you cannot. The co-operative stores in the country have shown what you can do if you try to do it. Although only on a small scale, your own sick and trade societies are showing what you can do if you will. I say only on a small scale, for although it amounts to many hundreds of thousands of pounds, it is small compared with the millions you put in the hands of others to use. And what you do in the co-operative system, what you have done in industrial insurance, with

sick and benefit societies in connexion with your trades, what you have done with your trades' associations, you ought to be constantly doing. If you say you cannot, you deserve to be serfs, slaves, animals to be whipped, imposed upon, and you have no right to claim for yourselves the rights of human beings.

I urge that there is a duty of association, as well as a right that all workers should unite together. Every man who does not unite in an association with which his trade is connected, is failing in duty to himself and them, failing in duty to them if he is strong, failing in duty if he is wise, for it is his duty to give them the benefit of his strength and wisdom; failing in duty to them if he is weak and ignorant, because his weakness and ignorance make them weaker in the struggle in which he gives way.

Now there are two great trade societies in this country which have permitted me to talk to them: I mean the Northumberland Miners and the Durham Miners. When they had no unions, their homes—why, what the Bishop said about the agricultural laborer's home was true of almost every miner's home. It was not his fault: he could not get any other home. They were the pit cottages built by the pit owners. The kennels for the owners' dogs were better than the miners' dwellings, and yet good folk grumbled that these men went to the public-house! Why, when these men came out of the pit, the coal-dust caked upon them through the sweat, dirty to a dirty house, they washed in it as best they could. They worked nearly naked in the pit; they had to strip naked to wash—wives, growing girls, and lodgers round them. Can you wonder at immorality? The wonder is that our people have been so moral and so good, and have improved so much as they have done. During the last fifteen years, and during the last ten years especially, there have been literally thousands of new houses built in Northumberland and Durham. The pitmen have got votes, and they have elected Local Boards of Health, and they have made proper drainage, and they have done this under the guidance of wise leaders.

It is only right I should say—because the Northumberland

and Durham pitmen, if they were here, would say it—that for many years they have found the employers of labor ready to meet them in this new work. There are some exceptions, I am sorry to say; still the best of the men and the best of the employers are making the worst of the men and the worst of the employers better than they were. And the tendency is to do everything by arbitration and conciliation. There have been some failures. I will try to show the remedies. The dwellings have improved, the wages have improved, and at the present moment the Trades Unions of Northumberland and Durham set an example to the whole nation, by having returned their own representatives of their own class into Parliament, whose election expenses they have paid, and whose salaries they pay while they are there.

The Society under whose auspices I speak here to-night—I mean the National Union of Operative Boot and Shoe Rivetters and Finishers—is not so large as the Northumberland Miners’—it is not so big as the Durham Miners’—it is not so large as it ought to be; but it is large enough to be useful. I would like to see it much more extensive, much more efficient, much more wealthy; and one of my objects here to-night is, if I can, to induce men who do not belong to that Union to join it. I especially address my remarks to those who do not approve of it amongst the workmen. I say that it is necessary that there should be a Union in the trade, and if this one is not as good as they think it could be, let them join it and make it better. Standing outside they weaken it and themselves. And I say to the employers: It is to your interest that this Society should be made so powerful, that it shall do for you what the coal owners of Durham and the coal owners of Northumberland admit that the Trades Unions of Northumberland and Durham have done for them—avoid disputes, and enable enterprises to be conducted with more profit to the owners of capital as well as more advantage to the men who worked in them. Although I do not call yours a big society, it is not a little one. I understand that you have something like 11,000 members; that since 1874 you have paid some £20,234 in connexion with trade conflicts; and that since 1875

you have paid £19,450 in sick relief and in funeral grants to those who are your members and have been your members.

Workmen, to provide against distress, should rely upon themselves and not on the parish. If you say, "My trade won't give me medicine for my children", I reply that it will if you make your Society effective enough to extort from the buyers of labor a full price for your labor. It would be no dearer for the employers of labor to pay a full price; and it is less dishonorable than paying it in Poor Rate. Unfairly low wage is dishonoring to payer and receiver. Labor does not want charity, it wants justice; it wants life; and that when it is struck in battle by sickness, by disease, or when the wage-earner is struck by death, there shall be some protecting hand other than the Board of Guardians, other than the Union Workhouse. I understand that you have a balance in hand of some £8,447, of which £4,215 is in the hand of your Central Union, and the other £4,232 in the hand of your branches. You ought to have ten times as much as that in hand. You ought to be in a position to do this: Suppose you said to a great shoe manufacturer, "I know you are making an enormous fortune". Suppose he answered, "I am making an enormous loss". You ought to be in a position to start a factory of your own, where you could make the same things and know then your own profit and loss; and then when you understood whether it were true that profit could be realised you would be able to enforce the claim if it were true, and not be foolish enough to persist in it if it were a mad declaration.

No. 15 of your rules desires to promote conciliation and arbitration. Every sane man must agree that a strike is an evil. It is an evil even when it is successful; it is a horrible evil, if not a crime, when it is a failure. It is an evil, because you do not fight on like bases. A day's labor once lost you can never get back; it is gone, it is so much of the capital of your life gone. Enforced idleness from a strike is bad; existence on charity has a demoralising influence; the influence on the home is degrading. Strikes are always bad. I admit that if a man has only the choice between starving and striking, it is very hard to counsel him against a strike. I don't blame every

man who has advised a strike, or every man who has taken part in one; but I do say that the experience of England, of America, of every country in the world, has shown that the horrible evils that come out of great strikes are such as to outweigh any advantages gained from them.

Why is there not more arbitration and conciliation? An answer was given at the Industrial Conference. Mr. Lloyd Jones complained that arbitration had failed in the opinion of the men, because, he said amongst other things, the data were not sufficient and not correct enough to base any decision upon.

In America they have tried to cure this by having special statistics collected without reference to disputes; when disputes arise, both of you are interested in making out the worst case. Americans have these statistics collected not simply in one establishment, where they may be misleading, nor in one town, where they may not speak the whole truth, but right through the whole of the country. In 1860 the Labor Bureau of Statistics in Boston, Massachusetts, was established; and each year the Bureau publishes a report. At first everybody cried out against it: the workmen said it was inquisitorial; the employers said it was abominable. But by-and-by both found it admirable. Two other States took it up, and then four others, till at last more than twenty States of the Union, and the Province of Ontario in Canada, have Labor Bureaus, all of which are issuing statistics showing the cost of living, the rate of wages, the number of hours worked, the number of people—men, women and children—and ages, the rate of wage each class earns, how long they work in the year, how much capital is used in each kind of enterprise, how much raw material is required for it, what rate of profit is made, and what is the proportion it bears towards wage.

Well, I hope within four weeks to propose in the House of Commons that there be established an office or Bureau of Labor Statistics to chronicle the following things:—

"1. Character, and number of each character, of the various industries of the United Kingdom, number of persons and amount of capital employed in each, specifying when any of these industries are increasing or diminishing, and

why, and whether any special industry is limited to any particular locality, and the reasons, if known, for such local limitation.

"2. The hazardous nature or otherwise of each class of industry, with the results to life, limb, and general health and habits of life, in each industry; giving also particulars as to laborers' dwellings, and whether held from employers, and on what conditions."

I may say that some of the revelations in America have shown that the different kinds of trades not only lead to different kinds of diseases—that has been known for a long time—but also to special habits, either moral or immoral as the case may be.

"3. Showing how many cases of exploitation in each industry by limited liability companies or other corporations, with their subscribed and actually paid-up capital, and profit, and loss, distinguishing cases where workers to any extent share profits.

"4. The minimum, maximum, and average amounts of capital embarked in each industry, distinguishing fixed and floating capital, the raw material used, the gross wages paid, the value of manufactures produced, and the gross and net profit.

"5. The individual wages paid in each industry, distinguishing men, women, boys, and girls, and specifying highest, lowest, and average wage; also showing whether wage is paid weekly or at long periods, and in latter case, whether companies' shops exist."

I press for these because I find that in several parts of the United Kingdom, the misery and demoralisation arising from a long wage-period and advances have never been properly estimated or dealt with.¹

"Also showing the longest, shortest, and average number of hours worked per day, and the industries in which there is both night and day work; and showing the average duration of employment in each industry during each year, and showing the cost and nature of living, including rent, food, clothing, necessities, and luxuries; specifying the cases:—(1) in which the earnings of individuals and of families, where more than one individual was wage-earner in a family, were large enough to leave a surplus beyond fair subsistence; (2) in which the family has subsisted without incurring debt or receiving poor-law relief; (3) in which the earnings did not equal the cost of subsistence. Showing what trades and friendly societies exist in connexion with various industries, with the amount of subscriptions and accumulated capital of each, with annual amounts spent in strikes, sick and other relief, etc., and whether such societies are registered under the Friendly Societies Acts; number of Unionists and non-Unionists in each trade; comparative states of trades in which Unions exist extensively, as against those having no Unions; amount of Savings Banks' deposits, and occupation of depositors.

¹ I have endeavored to diminish this evil by the 3rd section of the Truck Act. compelling advances without interest or discount.

" 6. Specifying the other countries where any, and which, similar industries are carried on, with similar details where ascertainable."

All these statistics can be procured with comparatively little cost. A number of them already exist, but are so separated in books as to be utterly inaccessible. Those relating to foreign countries are, many of them, contained in our Consular reports. They want systematising and gathering together; and then people would be in a better position to win their fair rights in any wage contest.

I am pleased in Rule 34 to see that you give bonds on behalf of your members as sureties for honesty. While workmen are sureties for one another, the practice of honesty is made more thorough amongst them. Poverty has often compelled dishonesty, despair has often made men drink, the wretched home has driven men away, and what was not intended for dishonesty became it. But the knowledge that your fellows are responsible for you will make you truer to one another, braver and more loyal. I am glad to see that you are willing to take women among your members. The only unions that can well exist are unions in which the whole family have an interest, in which the wife feels that the man does not go away from her once a week simply to drink. Connected with your unions you can—and ought to—establish places of meeting in each town, where you can have your little reading-room and library, and place of entertainment. You can do it without trenching upon your means, and thus help yourselves step by step. I am glad to see that you have means for helping your sick, that you have duly registered yourselves under the law.

The great struggles of the future will be not between Republicans and kings, not between heretics and churches, but between laborers and employers of labor. Those struggles may be beneficial to both, if they are struggles of reason—if they are conducted considerately, usefully, thoughtfully; but they will be struggles which will be ruinous to both if they are conducted with the notion that either has the right or the duty to destroy the other. The progress of both can go together—one may grow richer as the other grows happier; it is only wanted that there should be fairness, openness. There

is no secret in this ; the man's muscle and the man's profit, the man's hammer and his chisel and his plough : all these are things that can be seen ; and—by those who know—the other man's profit is seen just as clearly. To make fiction, to make frauds, is dishonorable to all, and I plead here to laborers to meet capital not in vengeance for the past, but for a good living in the future. And I plead to owners of capital if I may : I plead to them that the others are the strongest : money is not the strongest : all they own of it only makes two or three years' earnings. You can earn it — the Rothschilds' wealth, the Overstones' wealth, the Barings' wealth ; you, the millions, if you are only loyal to yourselves and to one another, may put all this into your own Savings Banks, and your own Friendly Societies, and your own Trades Unions, within a dozen years. You accumulate it for others ; you can do it for yourselves. And I plead to you that your wives may be happier, that your children may be more moral, that your homes may be more pure, more clean, more wholesome ; I plead that your whole lives may be better worth living.



MARKET RIGHTS AND TOLLS.

House of Commons, 22nd of April, 1887.

Mr. BRADLAUGH moved :—

“That a humble address be presented to her Majesty, praying her Majesty to appoint a Royal Commission to inquire as to the extent to which market rights, and rights affecting places where markets are held, are in the hands (1) of public bodies, and (2) of private persons or bodies of persons. To inquire generally how such rights are exercised, and particularly what accommodation is given in return for charges levied : in what ratio market tolls stand to the value of goods on which they are levied, and how far the regulation of markets by means of bye-laws or otherwise, market rents, stallages, and tolls, and tolls affecting market towns, are restrictive of trade. To report as to the advisability of compelling the transfer of all such rights to local authorities : of prohibiting the farming of tolls and stallages, of prohibiting the placing of restrictions on the sale of goods in a market that may be lawfully sold elsewhere, of providing—by means of the incomes from markets or otherwise—for the extinction of the capital account chargeable to such markets, and for declaring all markets to be free and open.”

In proposing this motion, Mr. Bradlaugh said : I trust that the Government will be able to accept the motion, which in no sense raises a party question. The real object of the motion is to decrease the cost of food to the poor—to increase the facilities of the poor for obtaining good food at moderate prices—to encourage the augmentation, by increased cultivation, stimulated by early sale, of home food produce. At the present time market rights and tolls in many places have the contrary effect.

Whatever may be the result of this motion, and whatever action the Government may feel compelled to take, I desire to acknowledge the courteous consideration which has been given to the subject by the Right Hon. the President of the Local Government Board.

I only propose in this speech to deal with England and Wales, but the terms of my motion apply to the whole of Great Britain and Ireland, and I trust that some Scotch and Irish members will give the House the benefit of their special knowledge. As to Scotland, I am personally without sufficient information, though it is clear that the evil does not now exist in Scotland to the same extent as in the rest of the United Kingdom. There is a report of a Select Committee on Market Tolls in Ireland in 1826, from which I will read a few lines. The Committee reported that "many most exorbitant and illegal charges are still made in markets, seaports, and fairs in Ireland, all of the most injurious tendency in checking commerce and industry. Several of these charges appear to your Committee to be so burthensome and oppressive as to produce the most mischievous restraint both on the sale and transit of commodities." And they said: "Nor are these examples of violation of the general principles of the Common Law the only abuses existing; the Statute Law has been violated in many important particulars;" and they reported specifically that "the intentions of the legislature, in exempting from burden the food of the lower classes of the community, have been defeated". I believe that Irish members sitting near me will be able to state that many of these evils are as bad in Ireland to-day as they were sixty years ago, and this although a Royal Commission in 1853 had again strongly reported against the same evil. Members for Ireland have sought ineffectually to deal with this by legislation. Bills have been introduced session after session into this House by Irish members, which been blocked both by Tories and Liberals, and have never even been discussed. The grievance which was and is still endured in Ireland, is the grievance which now exists in England and Wales.

I submit that a Royal Commission is absolutely neces-

sary in order that the matter may be dealt with in a thorough manner. Neither the House nor the Government has at present sufficient information on which to legislate wisely.

The President of the Local Government Board might say that the Government intend to deal with the evils complained of in a Bill which they are prepared to introduce with regard to local government; but I understand that such a Bill would only propose to give local authorities power to acquire rights. This is not enough, because in many scores of cases the local authorities are as bad offenders as private individuals. There are so many instances of the misuse of power by local authorities that it is absolutely necessary that information upon the subject should be obtained by a Royal Commission before it is sought to legislate. In any case it would be necessary to prevent local authorities from farming tolls to private persons.

It might also be said by the President of the Local Government Board that his department carefully revised all the bye-laws of local authorities, and that there could be no fear of such things happening as I complain of. This is no doubt true, but I would point out that this care has not been exercised at all times, and that there are in force at the present time in different parts bye-laws of a very objectionable character. It is not enough to give the local authorities power to purchase; there must be some restriction put upon them as to what they should pay.

I am quite prepared to accept the position that where the present local representatives under a charter have held markets, and have done anything for the promotion of trade in a district, they should be compensated. Where the local representatives of the holders of the original charters are simply leeches sucking the vitality of the districts and giving nothing in return, hindering food from reaching the poor, driving the sale of food into "rings," limiting the number of shops, and taxing the local produce that comes to market so that it does not pay the people in the neighborhood to grow it—in such cases the local authorities, on acquiring the market rights, ought not to be permitted to pay the same price for them that they would rightly pay where an owner had done a number of things to promote the

convenience of buyers and sellers, and to encourage the trade of the district.

I obtained last year an unopposed return of market rates and tolls. But it did not include any of the many—and some most objectionable—markets within the densely populated metropolitan area; in several cases there was a suggestive deficiency of information, and in others the information given was misleading. Over and over again it was said that the gross receipts were “not known”. Of course they were “not known” to any one but the person who got them. And I was told that in several cases the receivers of the tolls had said that it was not the business of the House of Commons to inquire into the matter, and therefore they did not intend to give any information. In reply to the question whether the market was held in a street, the answer “No” was given in many cases, thereby suggesting that some sheltered place was provided, whereas the market was held on an open space known as the market-place, and no shelter of any kind was provided.

Originally these market rights were prerogatives of the Crown, and grants have been made of them to ladies and gentlemen in recognition of some service rendered to the Crown, the service being deemed a sufficient consideration at the moment, although it was one which in modern times no one would deem worthy of such a recognition. Sometimes the consideration was a valid one. There were charters which were granted for the protection of trade. Often the lord of the manor provided armed men to protect the market and those who attended it, and in connexion with it there was a Court for the settlement of disputes which was known as “Pie Powder Court”. Although some of the Courts remained in name, all that kind of responsibility ceased centuries ago. The rights granted often included the power to set up a fair or a market in the neighborhood, and under cover of a right of this kind, 300 or 400 hawkers had been prevented entering the district of Rochdale for the purpose of supplying the people with food and vegetables. Some of the charters date back to the time of Henry I, Henry II, and Henry III. Some of the toll receivers had no charters. If they had them they had lost them; but they

still took the money. In some cases they took it quite illegally, but the local magistrates enforced the claim to the privilege as their predecessors had done.

The old law as to market rights, which is still the enforceable law, is : "The king is the sole judge where fairs and markets ought to be kept; and therefore it is said that if he grants a market to be kept in such a place which happens not to be convenient for the country, yet the subjects can go to no other". (Bacon's Abridgment, Title, "Fairs and Markets".) "If a person hath a right to a fair or market, and another erects a fair or market near his," the charter owner may prevent all sales even by hawkers or shopkeepers, and this "although the new market be holden on a different day".

Under this, the charter owner in East London has, as against the Great Eastern Railway, been able to do much mischief. The Clerk of the Whitechapel District Board of Works has forwarded a long statement with respect to the evil effects of the monopoly existing in the Spitalfields Market. I will only trouble the House with one passage from the letter : "This Board, having been informed of the motion which stands in your name for Friday on this subject, have thought that their experience as to Spitalfields Market, which demonstrates how markets of insignificant origin may become very formidable monopolies, may be of some value to you as a matter of information".

Important as is this report, I prefer to venture to appeal to the hon. member for Preston, who has just had specially to investigate this matter upstairs, to give the House the benefit of his special knowledge on this subject. The effect of the existence of private market rights is to unduly increase the price of food, to limit in many places the sources of food supply, to throw land out of cultivation, so far as varieties of dairy and market produce are concerned, and to facilitate in hands of private owners, or where the market rights are farmed, the formation of "rings" for keeping up the prices of food, and particularly of butcher's meat. In many places the poor have had no opportunity of buying Australian or other imported dead meat as such; but as large quantities are known to have entered

the districts, it has no doubt been sold as English meat at English prices. In such places as I have described, the poor are robbed in consequence of the existence of these rights. The regulations with respect to the sale of perishable food, such as fish and vegetables, and sometimes for the limiting of the number of shops in particular trades, are such that if they were framed with the intention of preventing the poor from buying cheaply they could not have been better devised for that purpose. The existence of these market rights has created a class of middlemen, who hinder distribution and render it costly.

If owners of land looked to their own interest, they would prevent toll-keepers from interfering, as they did, with the sale of produce and consequent cultivation of land, and would thus increase their rents.

Market rights, as I have explained, are claimed under charter, or letters patent, nearly all were granted in feudal times, in connexion with manors, under conditions as to population no longer even comparable, and with responsibilities and duties now never performed. The charters are granted for no real service or consideration other than the duty of protecting the traders at the market, of providing sufficient accommodation for buyers and sellers, and of administering justice in connexion with the market trade as to quality, weight, and so on. There are three classes of owners of market rights:—Cities or boroughs, with market charters or claiming prescription; private individuals, under charters or alleged prescription, this last being often a species of what in the colonies would be described as “impudent squatting”; local authorities authorised to establish markets under statutes, these now chiefly governed by Public Health Act, 1875, secs. 166—168.

Where local authorities claim to levy market tolls by prescription, this claim is clearly unfounded, as the whole of these local authorities must have been instituted since the Public Health Act, 1848, and many since the Local Government Act, 1858. I will take as a sample of many, from p. 72 of the return, the case of Slaithwaite. In many cases local authorities have acquired chartered rights, paying heavily for them, thus unduly taxing food of the district to recoup outlay. I agree that in all

cases local authorities ought to acquire, and I do not object to the toll-owners being paid fully where some consideration has been shown in providing market premises; but I do object to twenty or twenty-five years' purchase, or a heavy rent, being given where the toll-owner is only a leech. In many cases the local authorities have been compelled to pay enormous prices for the charter rights they required.

I do not propose to give the Royal Commission any power over contracts which have been completed, but it is necessary to show the House the kind of cases I desire to prevent in future. In 1846, Manchester purchased manorial rights and property at the cost of £200,000. I think that more than £170,000 represented the value of the manorial rights. Since then Manchester has had to pay £359,000 for its own markets. The food of the district has been unduly burdened by the payment of that £170,000. In Bradford the corporation acquired on lease from the toll-owners the market rights for a payment of a rent of £5,000 a year. The markets were held in the streets until the corporation leased the rights, so that the charter went back to a time when Bradford was a little hamlet. This £5,000 a-year taken from the corporation is a tax on the food of the poor. In Huddersfield the return is modestly reticent, but as far as I can learn some £44,000 have been paid for the street right.

There are many cases of absolutely illegal assumption of rights, and of illegal levy of tolls. I will take as samples from p. 21 of the return, the Nottingham Highway Board at Basford, and from p. 64, a market committee at Fareham. There are many cases in which the return lacks frankness on these points. In Ware a private owner has been levying tolls. That cannot be by prescription or by charter, because the market was established on the 24th of March, 1886. This market is chiefly accessible by a bridge, and there are tolls for the bridge which come into effect only on market days for cattle, sheep, and pigs; thus the food of the unfortunate people of Ware is doubly burdened.

Even in municipal boroughs the markets are very often in private hands. In Rochdale the old market proprietors got a statute passed in the reign of George IV, which shows how

iniquitous some private Bill legislation could be. They claimed exclusive rights over the whole of Rochdale, though the borough limits have been since largely extended. There has been taken from every hawker who came within the borough 30s., and some who could not pay it have been sent to gaol. One of the hawkers went to a lawyer, who held that the old proprietors had no right to levy such a tax. Then they shut every hawker out of Rochdale, a borough which has set a better example than any town in England, or in the world, in its co-operative endeavors for procuring necessaries of life cheaply for its people. At least the House will be with me in slaying this iniquitous usurpation.

I have received from 2,000 to 3,000 letters dealing with this subject, but I will content myself with specifying four instances in which these tolls have caused considerable hardship to the population of these particular towns. The towns I will select are Market Drayton, Fleetwood, Taunton, and Bridgewater. In the first-mentioned case tolls are charged on all vegetables, though sold in the open streets, and no accommodation is provided. The restrictions are of such a nature that people who were growing agricultural produce and bringing it into the town will not now do so in consequence of the annoyance. The result has been that the trade has fallen into the hands of the middlemen. At Fleetwood hawking from door to door is forbidden, and it has been announced that farmers are to be forbidden to sell milk to customers except in the place where they pay toll. At Taunton butchers are not allowed to open shops except on payment of £20; and at Bridgewater¹ they allow only a certain number of shops connected with particular trades in the town. What is the effect of limiting the number of shops in this way? To heighten the prices of commodities to the poor.

Not content with reaping a harvest of this kind, however, the toll-owner, when markets are held in the open streets, robs the ratepayers in another way. After the cattle market or other market has been held, there is scavenging to be done

¹ The Market Toll Collector, Bridgewater, afterwards wrote me that on this point I had been misinformed, and I corrected the statement in the *Times*.—C.B.

at the cost of the ratepayers; the toll-owner escapes. He carries off his tolls in his pocket; there is nothing which can be rated; and the local ratepayers are left to pay for scavenging the streets. How many hundreds such cases there are in England and Wales alone is shown by the return, which is divided into three parts: (1) Municipal boroughs; (2) Improvement Acts and local government districts; (3) Rural sanitary districts. In Part 1, 255 corporations made returns: of these, in 223 cases, rights belong to corporation; of these 223, 75 are farmed, and of the total 255, 125 are admittedly held in the open street, whilst more are actually so held. In Part 2, 249 markets under local authorities are shown: of these 161 belong to private owners, and of the remaining 88, 17 are farmed; 145 of these are admittedly held in the open street, the real number so held being far larger. In Part 3, 206 cases are stated to be all in private hands, and mostly held in the open street.

In any reform of local government which may hereafter be introduced, I trust that steps will be taken to prevent municipal authorities from farming tolls.

The effect of such a remedy as I propose will be to increase the wage of every wage-receiver without increasing the amount which his employer has to pay him. The value of the wage to the laborer must not be measured by its nominal amount. It is what it will procure of food and other necessities of life. Cheapen the cost of food, as this proposal would, and the value of the wage is augmented. Afford facilities for better food, and the standard of comfort is heightened. I trust I shall receive the support of the Government. There are cries outside for turning society upside down, of real grievances pressing on the poor. I have never in my life been a revolutionist so far as this country is concerned—I have always urged the redressal of wrongs by Parliamentary action. But a crisis is undoubtedly coming, and unless Parliament deals with these outside clamors and shows that it intends to redress the wrongs which can be redressed, we cannot complain if violent men should become prone to use violent language.

SECOND READING OF AFFIRMATION BILL.

House of Commons, March 14th, 1888.

MR. SPEAKER, — This Bill consists only of two clauses, expressed in almost the same language as that which was used in the Affirmation Act of the Quakers. The only difference is one made in accordance with a suggestion that I should make it differ from the Affirmation Act which applied to the Society of Friends, by introducing words to provide that the initiative should be taken by the person who desired to have the opportunity of affirming. To meet that suggestion, which does not appear to me an unreasonable one, I have introduced the words "upon objecting to being sworn" in the first line in the clause. As the law then stood, in reference to jurors, no juror who is without religious belief, or who, having religious belief, does not believe in future rewards and punishments, can take the oath or affirm. There is no provision to allow a person, under these circumstances, to affirm, except the provisions which relate to jurors who have religious belief, and that is clearly marked. I do not know that it will be necessary to make any long statement on that point. The law was clearly put by Lord Bramwell in 1881, when he said that the class of persons mentioned in Section 4 of the Evidence Further Amendment Act, 1869, who were at that time incompetent, but for that Act to give evidence from want of religious belief, would not be permitted to serve on a jury on the condition of merely making a solemn affirmation or declaration, instead of taking the oath. That decision was concurred in by the Lords Justices.

In the case of a juror without religious belief being sworn by mistake, or because the matter had not been brought to the knowledge of the Court, or supposing he affirmed, as some persons had

affirmed as jurors, under what I may call the Religious Belief Clause, then it is quite clear that, in a criminal trial, error may be brought after conviction and sentence, and a murderer may thus escape punishment. In 1838 Lord Denman moved in the House of Lords a Bill for the substitution of affirmations for oaths, and drew attention to a case in which a murderer had escaped because a Presbyterian in Ireland—a Dr. Cook—had insisted upon taking the oath in the manner in which Presbyterians thought binding upon them, but had not been sworn in the method required by law. The point was raised after conviction and after sentence, and the objection was sustained. The consequence was that the prisoner who was convicted in that case escaped the sentence which had been passed upon him. During later years there have been a large number of jurors who, being without religious belief, or at any rate claiming to be without such belief, have been ordered to stand aside. They were persons summoned to serve and sit as jurymen, and when they, in *bona fide*, brought the matter under the notice of the Court, or made a claim to be exempt on the ground of having no religious belief, they were able to escape the performance of their duty. In either case, it is equally bad for the rest of the public that these men are not allowed to act as jurymen. They can neither affirm nor can they take the oath. The law has been laid down beyond the possibility of question by the High Court sitting at Bar, by three judges whose decision was affirmed by the Court of Appeal, that if a person so disqualified has taken the oath, however regularly in point of form, yet he has not really taken it in point of law, and error might be brought. It is to avoid the possible consequence of this state of things, that I appeal even to those who take a somewhat hostile view of my Bill, as to whether legislation on this question would not be wise.

There is, however, another view of it which appears to me even more serious. Painful scenes are sometimes enacted, especially in coroners' courts, on the question whether jurymen are entitled to affirm or not, and occasionally squabbles occur on matters of religious opinion. I have noted some twenty or thirty such cases within the last two or three years, and I have several times in the House brought such cases to the notice of the

Attorney-General. The coroner decides sometimes in one way, sometimes in another, and great suffering is often entailed on the relatives of the deceased who are in waiting at the inquest. Surely this is a reason for making the law clear. In regard to jurors, then, I would put the matter in this way: jurors without religious belief, or jurors having religious belief of some kind, who yet did not believe in future rewards and punishment, were by law incapable of taking the oath, and were not by law permitted to affirm.

Leaving that class, I come next to the cases of the Oath of Allegiance, with respect to which there is no provision for affirming at all except in the case of Quakers, Moravians, and Separatists. A Christian, in the fullest sense of the word, who conscientiously objects to take the oath on the ground that oath-taking is unlawful by the terms of his own creed, is not entitled to affirm his allegiance. There is no provision for a case of this kind at all, and yet the oath is taken, not only by Members of Parliament and Justices of the Peace, but by barristers, solicitors, a variety of constables, officers and the rank and file of the Army, petty officers in the Navy, and others. There is a decision of the Court of Appeal confirming that of the Court of three Judges—of whom the present Lord Chief Justice is one—a full report of which is in the Library of the House. If that decision is good—and as it is the decision of the Court of Appeal it must be assumed to be good law—its effect is that no Justice of the Peace without religious belief can have the oath administered to him, and in consequence his acts are open to challenge in a variety of ways: ways with which I need not trouble the House at any length. Nor can any soldier who falls within this category be properly attested.

There is no need to enlarge on the serious inconveniences which may follow, nor do I wish to deal with the matter simply from the point of view of the Oath of Allegiance as taken at the table of the House. I am happy to say that my Bill is no longer a party measure. It has upon its back the endorsement of Members of both sides of the House, and it is within my own knowledge that these members consider this to

be a fair and proper solution of an exceedingly difficult problem, which may now be settled without a particle of bitterness.

There has necessarily been present to my mind the consideration of objections which members may fairly feel in dealing with such a measure as this. I would point out that the whole tendency of legislation for the last sixty years has been to abolish oaths which were once thought necessary, substituting for them, in cases of testimony, affirmations which carry with them all the legal consequences which attached to the oath, so that a false statement made under affirmation should bear with it the same penalties as attached to perjury. I have seen, however, that several members have written to their constituents with reference to this measure, saying that so far as it applied to the Oath of Allegiance they have no objection to it, but that they did object to it so far as it applied to witnesses. I will just point out to those hon. members, that the law already gives witnesses who are without religious belief the right to affirm, so that they are raising a difficulty which does not occur. It may be said, "If so, why do you not exempt witnesses from the operation of your Bill?". I will answer that question at once. It is because, unfortunately, the wording of the Evidence Amendment Acts of 1869 and 1870, is so peculiar that it has given rise to a variety of practices, and only met the cases which I have previously referred to. When the Evidence Amendment Act of 1869 left the House of Commons, it did not contain the words which gave rise to the misconstruction. They were inserted somewhat suddenly in the House of Lords, and were as follows:—"If any person called on to give evidence in any Court of Justice, whether in Civil or Criminal proceedings, should object to take the oath, or should be objected to as incompetent to take that oath".

The only person who can be objected to as incompetent to take the oath is a person without religious belief, or one who, having religious belief, does not believe in a state of future rewards and punishment. Any such person should, "if the presiding Judge is satisfied that the taking of the oath would not be binding on his conscience," make a promise and declaration. This has unfortunately given rise to much difficulty. In 1875

a case was brought before the Court of Queen's Bench, the late Lord Chief Justice presiding. Mr. Woolrych, the police magistrate, had refused to receive the affirmation of a man called Lennard, who had avowed himself an Atheist. The Court of Queen's Bench made the rule absolute for a mandamus requiring Mr. Woolrych to take the evidence on the ground that he ought to have been satisfied that an oath would have had no binding effect upon Lennard's evidence. Unfortunately, the case was not reported. It was, however, traceable by the lawyers, there being a record of it in the Rule Office, though there was no official report of the case. The consequence has been that—especially in proceedings before the magistrates and in the inferior Courts—a curious looseness has been observed in the construction of the words “the Judge shall be satisfied that an oath has no binding effect upon his conscience”.

As an illustration of the difficulties on this point, I have received a letter which states the matter very clearly. The writer says:—“A witness in a court of law objects to take the oath, and states that he is without belief in ‘a future state of rewards and punishments,’ but confesses to a belief in the existence of a Supreme Being, and declares that the taking of an oath would have a binding effect upon his conscience. In such a case, if I rightly understand the law as it at present stands, the witness would be utterly incompetent, and his testimony therefore wholly inadmissible. For, not possessing the required belief as to a future state of rewards and punishments (*Reg. v. Taylor, Peake*, 11; *Maden v. Catanach*, 31 L. G. Ex. 118), he would be unqualified to take the *oath*, even if he changed his mind and waived his objection to taking it; and the opportunity of *affirming* would be denied to him, because, as it seems, to the right to affirm there is attached a condition precedent ‘that the Judge must be satisfied that the taking of the oath would have no binding effect,’ etc.—a condition which in the present case clearly remains unsatisfied.” This clearly shows the extremely unsatisfactory character of the present law.

I was present at a trial in which the present Lord Chief Justice, with his usual kindness, took a great deal of trouble, and occupied some seven or eight minutes in ascertaining whether an oath

would have a binding effect upon a witness's conscience. A short discussion took place, in which an explanation was given on the part of the witness, and an interpretation on the part of the Bench, before it could be ascertained whether the oath would have this binding effect on the witness's conscience. In minor proceedings, such as those in the coroner's courts and before the magistrate, cases of this kind constantly occur, and they have arisen because the wording of the Evidence Acts left room for much misconstruction and misinterpretation in practice.

It is known to all who watched the progress of the Acts of 1869 and 1870, as I have done—and the Amending Act of the latter year passed in consequence of objection to my evidence, that the Bill left this House without the words which have caused all the difficulty, and which were introduced in the House of Lords to meet the objections of a member of that assembly. It had, however, the effect of importing into the matter an element of extreme difficulty. In England, Ireland, and Wales, all witnesses—whether they have religious belief or none—can affirm. In Scotland that is not the case. This Bill would relieve witnesses in Scotland, as the Acts of 1869 and 1870 had relieved them in England, Ireland, and Wales. To illustrate the necessity for the Bill, I will instance a case at Aberdeen of the week before last, where the sheriff was obliged to refuse the testimony of an Atheist who claimed to affirm, at the same time expressing his opinion that the attention of the Legislature ought to be directed to the question. The sheriff also pointed out the serious consequences which might ensue in a murder case, the learned gentleman using these words:—"Supposing this man was the only witness in a murder case, the murderer must escape because of a technical objection to his evidence".

There has been during the last 60 years, as I have already said, a disposition to give every facility in our Courts for the ascertainment of the truth, and to get rid of all incompetence to give evidence; and my Bill is a contribution to the attainment of that end. There was an amendment upon the paper which asked the House not to consider the Bill, but to refer the grievance to a Royal Commission. I would suggest that the hon. member who is to move that amendment can hardly have

remembered that there was a Royal Commission which, in 1867, issued no fewer than five reports, one of which was signed by Lord Lyveden, the present Lord Sherbrooke, and others. This report stated that "oaths of allegiance had seldom been found to be of any practical benefit to the persons or institutions whose safety and interest it had been sought to maintain by imposing them. In peaceful and prosperous times they were not needed, and in times of difficulty and danger they were not observed." Commenting upon the oath of allegiance imposed by the Mutiny Act, the Commission reported that it would be idle to describe this ceremony as either solemn or impressive, nor did it even appear certain that it was intelligible to the lads who invoked Almighty God. The words of the Commission were these: "As an example of an oath which appears to us open to nearly every possible objection, we may cite the oath of allegiance imposed by the Mutiny Act on recruits for the Army, which the Commission in its Report recommends to be maintained. The oath is a part of the ceremony of attestation which is necessary to complete the enlistment. It may be taken before any Justice of the Peace, not being an officer in the Army, and in London it is commonly taken before the Magistrate at the Westminster Police Court. There at certain fixed times, before and after other business, recruits are attested and the oath administered to them in a body by the Usher of the Court, the recruiting Sergeant and his batch of recruits being surrounded by any persons who happen to be present, and who are not required to suspend any conversation in which they may be engaged."

I pass by the historical portion of the Reports of the Commission, because it does not affect what I desire to put to the House. There is, however, an objection which I feel it my duty to consider, and which has been urged. Last year the Right Hon. J. G. Hubbard, now a member of the other House, who has very frankly admitted that the general sense of the House was in favor of the second reading, objected that the Bill did not exclude the Coronation or episcopal oath. I will say frankly that I thought it would have been impertinent on my part to make such

a proposal, but I should offer no objection in the Committee to an amendment to that effect. Last Session gave me great encouragement. There were two divisions taken, nominally on the question of adjournment, but really on the principle of the Bill. On the first division the majority was 91 in its favor, and on the second the majority was 104. It is with no desire to avoid the subject that I have passed over the recent history of the question in this House; I think it better taste on my part to avoid it now that the question is no longer one of party bitterness, and now that members on both sides are trying to find a solution of the difficulty, which is to me no longer a personal question, although I should be glad if the House would permit me to do by law what it was my desire to do eight years ago. But I am now pleading for cases in a large number of which serious evils may arise. I plead in accord with the general legislation of this century, in which, step by step, disqualifications and disabilities have been removed. I plead in favor of the recognition of a principle which the late Mr. Justice Mellor put so clearly in his marvellously able pamphlet. Speaking of the legislation of 1869 and 1870 on this question, the learned Judge said:—"The legislature has enabled even Atheists to depose without any obligation of taking an oath, but at the same time making them liable to punishment for false testimony as if they had committed perjury. Profoundly convinced by long experience of the general worthlessness of oaths, especially in cases in which falsehood cannot be tested on cross-examination or criminally punished, I have become an advocate for the abolition of oaths as the test of truth; but I would retain the punishment for false declarations wherever the law prescribes a penalty for a false oath." It may be urged that this is an argument for the abolition of oaths altogether. I admit it; but I am not prepared to ask the House to go with my argument and abolish oaths altogether, because I know there are many men—many conscientious men—who think that they ought to be permitted to swear their allegiance. I do not propose to interfere in any way with their tender consciences. I only ask an option for all who are either disabled by law at present or who desire to be relieved from a position which often becomes intolerable.

THE COMPULSORY CULTIVATION OF WASTE LANDS.

Speech delivered in the House of Commons, May, 1888.

MR. SPEAKER,—The array of amendments which has been put down to the motion I have now to submit induces me to hope that the subject is, at least, one in which the House is beginning to take a greater interest; and the almost unanimous expression of opinion among those who had given notice of those amendments, that there was a large quantity of uncultivated land in this country, also leads me to hope that I may be able to secure their assistance against the other amendment which challenges that proposition. There is an amendment put down by the hon. member for Wandsworth (Mr. Kimber), which, if not moved to-night, may I suppose be taken as a speech for the debate, and which declares that the proposition contained in my motion is one not altogether consistent with the liberties of a free people: besides, the process of compulsion shadowed forth in it seems so repugnant to the hon. gentleman that he feels he must earnestly protest against it at once. There is to me a comfort in being opposed by a devoted follower of the Government like the hon. member for Wandsworth, because, when the hon. member saw the First Lord of the Treasury going into the lobby in support of that motion—as he was bound to do if he carried out the traditions of his own Government—I hoped that the hon. member would no longer feel inclined to denounce the principle of compulsion. (A laugh.) I should hardly have ventured to take up the ground I have upon this subject, if I had not known that the present Leader of the House, and the Prime Minister, belonged to a Cabinet which

had twice, within the last nine years, deliberately made proposals and put them into force for the compulsory taking of uncultivated land. In Cyprus, a law was passed to promote the cultivation of land, and the ordinance was dated the 2nd of April, 1879. Among other things, it enacted that where a landowner had left more than two-thirds of his land which was capable of cultivation in an uncultivated state, he should pay a penalty, a tax on the whole of the land left uncultivated and uncropped, to the Government, as a fine for not having cultivated it. That having failed, the Government took more stringent measures, and in an ordinance dated June 24th, 1885, it was set forth that all cultivable land which had been left uncultivated for ten years should be confiscated by the Government. I hope, therefore, that the hon. gentleman who is to reply to me on behalf of the Government (Mr. W. H. Long), and who last year so eloquently denounced the proposal shadowed by the Bill of 1886, will now, with these Cyprus ordinances before him, modify the severity of his antagonistic criticism. In the discussion of this question I will lay down certain propositions, the first of which is: That the ownership of land should carry with it the duty of cultivation or utilisation. This was generally admitted in last year's debate. In a crowded country like this, I think that no right of property should allow a man to pursue a dog-in-the-manger attitude, and so arrest development of the natural resources of the soil. The authorities should compel the possessors of land to use it for the general welfare. The action of the Government in Cyprus shews that they have accepted that proposition, at least, in part. In the debate on this subject last year, the right hon. gentleman the member for the Sleaford Division of Lincolnshire said that land carried with it the duty of cultivation, no less than the practice, unless, indeed, there were good reasons to the contrary. Unfortunately, I have learnt that in law the ownership of land does not carry with it that duty; and further, I shall submit that it has not carried with it the practice of cultivation. In the case of "the Attorney-General against Lord Sefton", to which my attention has been drawn in the debate on death duties, the following facts appear from the judgment of Mr. Baron Martin: "Earl Sefton died

2nd August, 1855. He was the owner of land in Toxteth Park, Liverpool. This land then, and for ten years previously, had been wholly unoccupied and unproductive." In 1862, seven years after, some of it was sold "at the rate of upwards of £4,000 per acre, which is forty times the value of the best agricultural land". "The present income is nil, but the land is of enormous value, thousands of pounds per acre more valuable than the best agricultural land;" and Baron Martin added, "a great quantity of by far the most valuable land in the kingdom is similarly circumstanced". This land, which paid nothing in respect of local burdens, which contributed little or nothing to the Imperial exchequer, was held not to be liable to even succession duty, although Baron Martin said, "I cannot believe that it was the deliberate intention of the legislature to relieve such land from the payment of duty". Lord Chief Baron Pollock said: "The proprietor of property in this country has a right to make what reasonable use of it he pleases, and sometimes even an *un*reasonable use of it, and he is not bound so to use it as to yield the largest revenue to the Government, or to pay taxes as if he did. A landed proprietor whose park is over the most valuable mineral property has a right to say: 'I prefer living where my ancestors have lived to obtaining the wealth which opening the mines would afford'." Now I challenge the doctrine that a man has any right to prevent the opening up of mines underneath his property. I do not challenge the fact that this may be the law: but I do challenge that it should be the law. In this high court of Parliament, which has the right and the duty to alter the law, I submit that, in a crowded country like this, where admittedly hunger and misery exist, no right of property ought to be allowed by which a man may retard the natural development of the wealth of the country for the benefit of the toilers and workers in it. (Hear, hear.) If the law at present gives the right to an owner of 50,000 acres to say that, although his land will provide employment to hundreds or thousands of people in mines underneath it, he will not permit mines to be worked there, and will thus compel the people to starve; that law should be altered, and the authorities should have the right to step in and compel him to

utilize his property, even as they compel the laborer to utilize his labor, for the well-being of society, of which the individual is a part. (Hear, hear.) The mere laborer is not permitted to say: "I will not work; I will do as I please with my muscle and sinew;" the law punishes him as a rogue and vagabond, society passes on him moral condemnation, when he does not with his labor fulfil his part in contributing to the local and imperial burdens. My next proposition is: That there is now a large quantity of land in the United Kingdom of Great Britain and Ireland which is in a vacant, waste, or uncultivated state, and which might and ought to be properly cultivated or utilized. In speaking of cultivation I do not necessarily mean corn-growing. I mean that the land should be utilized for whatever it can be used most profitably. Last year I estimated that there were some 12,000,000 acres of land in the United Kingdom and Ireland in an uncultivated state; which land might well be cultivated for profit; and the right hon. member for the Sleaford Division then asked: "Where did those 12,000,000 acres come from?" and the hon. member for Maldon (Mr. Gray) disputed the accuracy of this estimate. Taking England, Wales, and Ireland—for I propose to leave Scotland to the hon. member for the Leith district, who I hope will second the resolution, and who will be able to speak with a special knowledge of the country—Mr. Denton, in his evidence before the Royal Commission on Agriculture in 1882, said that the irreclaimable land in England and Wales was 4,722,100 acres in extent, the cultivable land 27,000,000 acres, and the uncultivated land capable of improvement 5,596,000 acres. As an illustration of the kind of land, I will quote a passage taken from the *Weekly Bulletin* of 11th February, from an article headed "A Sussex Desert". The editor says: "When we were told a few days ago that in the middle of Sussex, within less than two hours' reach of London, there were something like 100,000 acres of land absolutely without cultivation of any sort, lying wild and waste, much as they did in the times of the Henrys, we were at first disposed to doubt the sanity of our informant. But as he gave us chapter and verse, furnished the name of the noble lord who owns this immense tract of land, and provided us with careful

directions as to the station at which we were to stop to reach the spot, etc., we determined on at least ascertaining by the evidence of our own senses whether it could be actually true that while tens of thousands of people are on the verge of starvation in London, there are within easy reach of them tens of thousands of acres of land lying idle which, under proper cultivation, would support an even larger population."

Sir W. Bartelott: Will the hon. member state who is the owner of this land?

Most certainly I will. The writer gives the name as Earl Delawarr, and he adds: "Why, we ask in amazement, is all this vast tract of country left to lie idle? Simply, we are told, because 'my lord' wills it so. Is the soil barren? Not at all; it will grow almost any crops to perfection, and in proof we are pointed to the little oases, at long intervals, which have been reclaimed and brought into cultivation. A drive of twelve miles over a beautiful undulating country, on which the great sun stretched down his long rays like loving arms, and yet not a third of the forest had been seen. One vast solitude, stretching away mile after mile, which might be changed like magic into smiling cornfields and verdant pastures, be dotted with homesteads and alive with lowing cattle and bleating sheep, but for the imperious will of one noble and reverend lord!"

Viscount Curzon: Does the hon. member say that Lord Delawarr owns all this land?

I have no personal knowledge on the subject. The *Weekly Bulletin* said it was the property of Earl Delawarr. I can only vouch for the fact that it is uncultivated; but, from letters I have received, I believe it to be capable of profitable cultivation. The *Weekly Bulletin* writer concluded his article by saying: "Of course, many who read this will say at once that the land must be worthless, or it would long ago have been brought under cultivation. But surely the villagers who live upon its borders must know its character and its capabilities, and they one and all agree that most of the forest so-called is as fine land as ever laid out of doors. We confess ourselves to be of the same opinion. What has Lord Delawarr to say?" As

to Ireland, Professor Baldwin and Major Robertson, one of whom had been intimately connected with the present parliamentary Under Secretary for Ireland, affirm that there are 6,000,000 acres of land in Ireland "comparatively worthless", and they declare that the greater part of this land ought to be cultivated, and could be profitably reclaimed. Professor Baldwin, in his evidence before the Duke of Richmond as to Ireland, said: "There has been a good deal of exaggeration with regard to the waste lands of Ireland. I have gone very carefully into the matter, and I do not believe that there are more than 1,500,000 acres of waste lands that would admit of reclamation; but there are at least 1,000,000 of acres of bog-lands in Ireland that would admit of reclamation;" and he added there was "at least three or four times that" of "semi-waste". These 4,000,000 acres of semi-waste Professor Baldwin thinks could make provision for a large number of families if they were allowed to cultivate. Major Robertson agreed that there were large quantities of waste and semi-waste lands on which people might be profitably planted. Why is not all this land reclaimed? Why do we talk of emigrating people while it is left thus uncultivated? I will also quote what Mr. A. J. Kettle gives as evidences of the hindrances to reclamation in Ireland. He says: "In the greater part of Mayo, and, in fact, all over the mountain and bog sides in Tipperary and Kerry, the land had been reclaimed by the tenants, and that without any assistance from the landlords. They created property in a rude way, and the moment that it by means of their exertions furnished a crop, the landlords raised their rents from 1s. per acre to 2s. 6d. per acre, in order to reap a profit on it." "These small tenants were put on some bog or swamp or mountain land, and they reclaimed this either from a state of nature, or barrenness, or a state of swamp." Describing Connaught, the Most Rev. Dr. Duggan said: "We have bogs and mountains unreclaimed; not only that, we have agricultural tenements not half tilled". Mr. E. D. Leahy said: "There is no question that there is in Ireland a vast quantity of reclaimable land". Mr. E. Murphy said: "I have seen large tracts in the south and west of Ireland

where there might probably be a good deal of reclamation". Mr. J. Hegarty stated to the Commission that "a large quantity of land in Ireland might be made into productive land". Mr. A. L. Tottenham, M.P., a Leitrim landowner, conceded that the bog of Allen and other bogs lying in the centre of Ireland might be reclaimed by the population. There is plenty of evidence that land in Ireland has been reclaimed by tenants without any assistance whatever from landlords, who, however, raised the rent upon it as soon as it had been made to produce anything; with better security the land now unreclaimed could be made equally productive. Similar things have happened in England, particularly in the case of lands controlled by the Duchy of Cornwall. A letter now before me gives an instance where 110 acres at South Tawton, formerly common land, producing nothing to the Duchy, has been reclaimed by poor laborers with the free consent of the commoners, and now the Duchy officials demand rent. I do not pretend that all kinds of cultivation could be made profitable in this country. (Hear, hear.) But we import three millions' worth of eggs annually, and uncultivated lands would at least maintain the poultry that might produce eggs in lieu of those imported. In many places agricultural laborers are not permitted to keep fowls, and in some places where they do so the business is made utterly unprofitable by the landlords' foxes. We also import enormous quantities of fruit and dairy produce that we ought to produce at home. It is true there are difficulties in the way, and among them, one is the favoritism shown by our railway companies to imported produce. The Mayor of Manchester gave evidence that produce can be brought from France at lower rates than those that are paid for carrying English produce one-third of the distance. It is dearer to take fruit from one part of Lincolnshire to another than to take it from the South of France to a Lincolnshire market. Speaking without special knowledge, I believe that part of the evil results from the charge being made per ton—many trucks now being half empty, which, if the maximum charge were per truck, it would be the interest of the cultivator to fill. The question is, further, much complicated by the existence of market tolls and regu-

lations, as well as by the absence of market facilities in many places in the country. These difficulties, I trust, may however be met by the Royal Commission which the House has authorised, and which is now sitting. I will ask the House not to reject my motion because of the difficulties in the way; but to remember that I am raising the question, less for the purpose of making an attack upon landowners, than for suggesting the best way of meeting the rising storm which must one day break out from the close juxtaposition, especially in our large towns, of hunger and misery with vast accumulations of wealth. Will it not be wise to meet that storm by remedial measures? The Socialist cry which is heard everywhere, is it not translatable into the expression of hunger and want? If I now plead with the House on this question it is because I am speaking for the class among whom I was born and for whom I am bound to plead. (Hear, hear.) I am convinced that much of the land in this country, which now does not pay, could be made to pay. As a striking proof of that, I will cite one remarkable instance brought to my notice, where a landowner in Northumberland, having failed to get anything out of 700 acres, had handed them over to his bailiff, with the result that the land was made profitable to the landlord. I am now asking the House to listen to facts; and my proposition is that the ownership of land involves duties as well as rights. And my desire is to avert in England what in Ireland has already become, and in Scotland is gradually becoming, a fearful war between one class of society and another. I earnestly hope, therefore, that I shall not be met by a bare *non possumus*. My plan will do far more for the people of this country than the many plans for the employment of the unemployed, plans which generally and ultimately involve an increase of debt and taxation. I have modified my motion into a form which I hope will prove acceptable to the House. It is said that I propose to confiscate property; I do nothing of the kind; but even if I had proposed to do that I could plead the authority of the present Government. (Hear, hear.)

MARKET RIGHTS AND TOLLS.

Examined before the Royal Commission.

(LORD DERBY, *Chairman.*)

I would submit, first, that the local authorities should be empowered and required by law to acquire all existing rights to hold markets, to levy tolls, and to make regulations in connexion with markets. The reason why I say that they should be required as well as empowered, is that I think it possible, if the local authorities only had optional powers, powers which they might or might not exercise, they would sometimes be deterred from resorting to the exercise of those powers owing to the expenditure which, rightly or wrongly, they might think that they would be put to in the compulsory acquisition of market rights. I would respectfully submit that the legislation which will be necessary should entirely sweep away all private market rights; and that where compensation is given (I use that phrase, and the Commissioners will see presently my reasons for it), the compensation should be on an adequate scale, to be settled, not by the ordinary means which would be open to local authorities treating with an individual or with bodies, but either by the High Court or by some specially appointed tribunal, which would be competent, not only to investigate the title of the person claiming charter or other rights, but also to ascertain how far he had acted in fulfilment of what I should submit is the expressed or understood obligation in connexion with all charters, namely, the protection and development of the market. So that in ascertaining the compensation to be given, all these matters might be taken into consideration, under authority given by statute, in a way that I do not think at present they

could be taken into consideration. And I would submit that it might possibly be best that the acquisition of market rights, so far as England is concerned, should be undertaken by the County Council in each case. The reason why I say "so far as England is concerned" is only because as yet no County Councils are established elsewhere; but the same principle would of course apply if County Councils are established elsewhere. I suggest that the amount which is necessary for the purchase of the rights should be defrayed out of a special loan fund, and apportioned equally amongst the sanitary districts in respect of which the rights are acquired, and that each such sanitary district should be empowered to carry on the markets in such a way as would eventually extinguish their proportion of the loan charges. I submit next that the local authorities should be absolutely prohibited from leasing or farming any market; that where the charter owner, or manorial owner, or prescriptive owner of market rights, has not provided any market accommodation whatever, his present rights should be extinguished, abolished, and cease, without any compensation whatever; that where he is providing some accommodation, but clearly insufficient accommodation, the compensation should not exceed seven years' purchase, calculated on the average of the last ten years of the net annual receipts by him. It may be that the charter owner, desiring to provide the fullest accommodation, has been by local circumstances, by possible conflict with private rights, prevented from acquiring the property that might be necessary for the proper development of the market; but where he had tried to provide, or had provided, proper accommodation, then the compensation money should be ascertained by valuation and arbitration, as in the case of any freehold. Then I submit that when the tolls are in the hands of the local authorities, the tolls which they levy on foods ought never to be in relief of the rates, but should be only sufficient to provide, first, for the maintenance and necessary extension of the market; secondly, for a sinking fund for the repayment, spread over not too long a term of years (say, thirty years, which seems to me to be sufficiently long), of all moneys expended in acquiring rights, purchasing land, and erecting

buildings; and I think also that the tolls might be so calculated as to provide a small, not a large, reserve or contingency fund to meet sudden increases of population. Sometimes, in the case of new manufacturing industries, there are instances in which there has been increase of population which has rendered necessary an increase of market accommodation; and there would be, I think, no harm and some advantage in the power to have a contingency fund, not too large, for such purposes. Then, if the Commission would permit me to say so, on the evidence as taken, there seems to be—whether from the class of people examined or not I do not quite know—a rather widespread opinion that markets should be conducted with a view to the advantage of the tradesmen of the town. That seems to me upside down, if I may be allowed to put it so roughly. I think that the markets should be conducted primarily in the interest of the consumers of food. I do not know that I need trouble the Commissioners with the references, in any case, to the evidence, but I may say that it is sometimes put that hawkers, for example, should be licensed and put under stringent rules and regulations. I should rather submit to the Commissioners that the class of people who supply foods to the poorest persons should be encouraged, and that no difficulties whatever should be put in their way; that, in fact, the powers of the local authorities shall be limited, so that they should be unable to check free trade in food; that they may afford additional facilities in markets, but that they may not, either under cover of protecting their market or otherwise, hinder anyone from taking to the most wretched, in the cheapest fashion, any foods that it may pay the hawkers to bring, or that the others may desire to get. I do not think that the ratepayers in a town should be allowed any more favorable use of the market than persons who come into it who are not ratepayers. I have noticed that, in one or two cases, there has been evidence given which seems to imply that persons coming out of the country, who did not pay rates, were not entitled to share in the market advantages on the same terms as the ratepayers. I suggest that every facility ought to be given for the obtaining and selling of food, and that that is of the highest importance; and

that the mere small relief to the rates or the ratepayers ought not to be allowed to weigh against that. Then I respectfully suggest that there should be the most complete and thorough statutory abolition of all through tolls, and of any tolls which in any degree resemble the Continental *octroi*; and that there should be provision in any legislation to prevent tolls, rents, or stallages, operating oppressively against small traders. I would submit that, so long as high rents and tolls are demanded from persons such as small growers, holders of allotments, and small farmers having surplus stock, which they may take to the nearest market to dispose of, the imposition of these high tolls operates to the discouragement of that industry, and the community is deprived of home-grown food; and I suggest to the Commission, that at present our system gives an advantage to foreign food-raisers and foreign food-vendors over the home-raisers and home-vendors; and I say that that is amply shown by the fact that small quantities of produce of various kinds are collected over the whole of Europe, and imported into this country, and that there is nothing like a similar attempt made at present to bring into our markets small quantities of home-grown produce, even though grown within a few miles of the market. Then I think it is clear that there are a considerable number of bye-laws, regulations, and scales of tolls in different places (without its being necessary to specify any particularly) which are open to objection; and I submit, therefore, that in any legislation, there should be an enactment that the local authorities should have power to make new rules; and not only that they should have power to make new rules, but that, say, the Local Government Board should, upon the matter coming before them from any district, have power to compel the local authorities to make new rules; and that any such new rules, when made, should be submitted for the approval of the Local Government Board, or such other authority as was thought right. I think it might be well, if it be possible, that the Local Government Board, or some special authority created by the Act, should frame some kind of regulations which might apply as a guide everywhere upon the subject. At present, as I understand it (I am not quite sure that I am speaking correctly on that, and therefore, I speak subject to correction), where any

Government department is required to confirm anything, in the first place, it is no part of their duty to raise objections which are not raised before them ; and I suggest that the regulations of which I am speaking ought to be framed and considered, subject to the kind of objections which poor people would make if they had the power to make them, and which appear to arise over and over again in the course of the evidence which has been taken. I propose also that the tribunal I suggested, which should deal with compensation, that is to say, with the amount of purchase money and so on, ought to have the duty imposed upon it of ascertaining whether the charter owners have fulfilled the conditions of their charters. In some cases, it is possible that the charter owner has held his market on a day on which the original charter did not authorise him to hold it, or has assumed to hold it on additional days when he had no authority to do so. I would suggest that, if legal proceedings had been taken, say, by the Attorney-General, it is fairly clear that these charters or patents might have been quashed in olden times, and that all these matters should be taken into consideration in determining what, in cash, the charter owner should get on being deprived of his rights.

Lord Derby: To take these points which you have raised one by one; in the first place, I observe that you think the local authority should not merely be empowered, but should be required, in every case to take charge of the markets. Let me put such a case as this: That the local authority finds itself already heavily burdened with debt, that the rates are high, and that the market is in private hands, but has been so carried on as not to give rise to any local complaint; under those circumstances do you think it would be desirable, not merely to force the seller to part with what he does not wish to part with, but to force the local authority to become a purchaser when neither the authority itself nor its constituents desire that it should do so?—Yes, I do, and for these reasons: I start first from the principle that market rights in private hands are bad; I quite concede that there are very many cases in which the private owner has used his power as wisely and humanely as it is possible for a man to use it, but I do not think that such excep-

tions ought to prevent the general enactment. Either the market is profitable to the private owner, or it is not. If it were not profitable to the private owner he would not carry it on; at least, I have not met any such instance anywhere. If it were profitable to the private owner it would be no burden to the local authority to take it, and it would be equally profitable to them, and therefore no real increase of burden upon the ratepayers would result.

Admitting, at any rate for argument's sake, that all market rights in private hands are bad, do you not think that the local authority may be left to judge of the badness?—No, because it is quite clear that the local authorities at present have not been as active as they should have been in a large number of matters—not only in the case of markets—and if it be admitted that market rights in the hands of private owners are bad, I do not think that the local authorities should have left to them any option of permitting the continuance of an admittedly bad thing.

Is there any precedent that you are aware of for compelling a local authority to purchase something which it does not want to purchase?—No, I think not; I am not aware of any, although there may be precedents; but I would respectfully suggest that if the thing be good it would be well to make a precedent; and local authorities are now being compelled by Parliament to do a number of things that they have heretofore not been compelled to do.

You say that the local authorities should in every case be the County Councils?—No, I beg your Lordship's pardon; I did not express myself clearly. What I felt was this: The authority for the acquisition of the market rights, I suggested, should be the County Council, but only because over a large district I thought that the County Council could probably raise the money on cheaper terms and in a better way; and I also thought I had expressed in my answer my intention that each district should be empowered to carry on its own market, and to carry it on in such a way as would extinguish their share of the loan charge, which I suggest should be apportioned equally among the sanitary districts.

I am not sure that I understand the process that you propose.

Take the case of a large borough within a county; you would say that the County Council should buy the market and hand it over to the borough?—I think that most of the large boroughs are made counties of themselves by the operation of the Local Government Act.

That is only so in the case of the largest boroughs?—Yes; so that that, if it would be difficult, I submit does not arise in the case of very large boroughs.

You think that the middle-sized boroughs would be content to have the market which is held in them purchased by the County Council?—I think it would be an advantage, if my assumption is correct, if the County Council could borrow large sums for the whole of these purposes in a sort of general loan, on easier terms than each small authority having to buy its market could; and I think that it would also leave less possibility of jobbery in the loan, and involve less charges for commission in raising the loan, and so on.

I suppose you would admit that the question whether the County Council or the borough should be the purchasers is a question of detail?—Quite so; that is a suggestion which I respectfully put before the Commission.

You would prohibit the local authority from leasing a market: that is, of course, in pursuance of the principle that markets ought not to be in private hands?—Yes; and I also think there is clear evidence that where markets have been leased, or, what is the equivalent of leasing, farmed in any way by individuals, sometimes the evils have been even greater than where the private owner has himself exercised any authority, because the lessee has tried to make his thirteence for a shilling, and has not been careful as to how he made it.

The person who leases the market has only an interest for a limited time, and probably has no interest in the surrounding district?—That is so.

As to the special tribunal which you propose to create for the purpose of buying up markets, why is the matter not one that could be dealt with by the ordinary courts of law?—I think it might be dealt with by the ordinary courts of law; but what I want to shut out is this: whether it be a division of the courts

of law which deals with it or not, I want the amount which is to be paid to the charter owner not to be a matter in which the personal local influence of the charter owner operates upon the local authorities. Many of the members of the authority, being elected, are sometimes more or less under his influence, because the very fact of his being the charter owner generally implies the possession of estates in the district, and considerable local influence; and there are cases in which, where a very large sum to my mind has been demanded by the charter owner, there has been reluctance in fighting him in the council, because of his being deservedly respected for other matters and so on, which prevent the thing being discussed upon business grounds.

Then you mean that it should be taken out of the hands, not of the courts of law, but of the local authority?—Out of the hands of the local authorities.

That they should have no option as to the procedure or as to the price?—No.

That neither the purchaser nor the seller should be consulted, but that the price should be fixed irrespectively of both of them?—Yes. The only thing I would suggest is that it might perhaps be cheaper to appoint a special tribunal in the nature of an official referee, or something of that kind, than to add it to the work of the courts, in view of the delay which necessarily results from its being taken with other matters; and, perhaps, the form of being represented by counsel and other details might be omitted before some tribunal specially appointed.

Now, with regard to the question of compensation where satisfactory accommodation has been provided, you would consent that the seller should receive the fair market price for the thing which he is selling?—Yes.

You say that where no accommodation is provided the rights should cease without compensation; is it to be assumed that in every case the charter has been granted upon condition of accommodation being provided?—The theory that I should respectfully submit to the Commissioners is this: that all these charters were originally granted, or that the legal assumption in connexion with them was, that the person to whom the charter was granted, protected the people coming to sell and to buy, and

also provided some kind of accommodation for them in selling and buying; probably in the old times he had most to do in providing armed men to prevent them from being robbed. There are clear cases of this, and I say that where this has died away and the charter owner has continued to take for nothing a profit which was granted originally on the condition of something being done, he is not entitled to any compensation for having that determined which appears to have degenerated into the acceptance of money without right.

Then it follows that your argument upon that point that where inadequate accommodation has been provided, there should be some compensation paid, but not to the full value?—Yes.

How would you test the inadequacy of the accommodation?—I should leave it to the special tribunal that I have been speaking of to take evidence upon it in each case where complaint was made; I should not like to lay down any hard and fast rule. I would say, certainly, that there is insufficient accommodation where you find a large number of persons who attend the market complaining, for example, that in winter and in inclement weather it is impossible for them to carry on their trades.

But there may be cases where very little accommodation has been provided because very little accommodation has been asked for; is not that so in out-of-the-way districts?—If that be so, I would suggest, either that the charter owner's rights are very small, and the question of compensation is a very trivial question there, or that, perhaps, the not providing of sufficient accommodation may have been the reason for the non-attendance at the market, for indifference to it, and for want of complaint about it.

You have laid down another principle, that the tolls may not be in relief of the rates; you put broadly that the markets are to be self-supporting, but that no profits are to accrue from them to the local authority?—Save that I would allow a margin for a contingency fund; and it is of course possible that if the contingency did not arise, that fund might become a source of profit to the local authority; but I do not think that it would be fair, looking at the development of the population and the needs of markets, that they should be hampered; I think they should have a contingency fund, and a means of meeting these difficulties.

You say that the rates should be primarily in the interests of the consumer, and that the powers of the authorities should be so limited that they should not check the supply of foods; but is it in any case their interest to check the supply of food?—I do not think it is in any case their interest to do so, but I think they have very often done it.

In what way?—I think by high tolls in some cases; and by stupid regulations, if I may be permitted to say so, which give preference in other cases; and I think the fact that what the French call *la petite culture* is more attended to on the Continent, and that produce finds its way from France, and from other parts of Europe into England, instead of from close handy, shows that they have done so.

But is not that part of the general system by which dealings on a large scale are generally more profitable than dealings on a small scale?—I am not sure that it is clear, that to the public consuming and raising foods, dealings on a large scale are more profitable. I am sure that to the conveyers of produce, such as the railway companies, to the factors who deal as middle men between suppliers at a distance and consumers at home, large quantities are a benefit; but I am not speaking for the factors, the middle-men, and the conveyers of produce. What I would suggest is that by facilitating the small raising of food produce here you develop industry, and you increase opportunities of employment as well as make the food cheaper.

Do I correctly understand that you would give any special advantage to the very small traders in the market?—Special advantage, no; but I would not have such a minimum rate of stallage or toll as should preclude it from being profitable to the small sellers to come in.

You think that the minimum is apt to be fixed too high?—I think so. I consider that the tendency of all regulations should be to encourage the small dealers; but I do not think that the encouragement should ever be in the nature of giving a special advantage to a special man, because he is a small man.

You only wish to put him upon an equal footing with others, and that cannot be done unless a very low minimum rate is fixed?—Quite so.

You have not touched upon one subject which has been raised before this Commission, I mean as to that kind of monopoly which the existing law gives to a market for a certain distance round; would you in all cases do away with that?—I should do away with it.

Even in the case of a borough, you would not allow any private person to set up a new market, I presume?—I think that all markets should be in the hands of local authorities, and therefore, necessarily, I would not.

You have said that no markets should be in private hands; therefore, clearly, that would exclude the possibility of any private person setting up a new market?—Quite so.

But subject to that, and all markets being in the hands of some public authority, you would leave the authority to determine how many markets there should be?—Yes. There is just one point which has occurred to me on that, and on which I am not quite sure that my law would be right. I remember that in the case of the Spitalfields Market, and the Great Eastern Railway Company, some shops were held to be markets; I should not in what I have just said about private markets include shops as markets.

It would be necessary carefully to distinguish what is a shop and what is a market?—Yes.

Then you say that the local authorities ought to have power to make new rules for markets where desired; that, I presume, would be inherent in their authority, would it not?—Not only should they have power to do so, but I think that they should be bound, say, within two or three years (the time is a matter of detail), to examine and revise their rules now existing in all cases; that those should be submitted to the Local Government Board, if that be the proper authority, for examination and confirmation; and that the mere fact that they have existed for some time should give them no sort of sanctity so far as that is concerned.

Then you would let the Local Government Board have power to compel them to make new rules if necessary?—Yes.

Would you give the Local Government Board a corresponding power to veto any new rules?—Yes, I would give them not only the power to veto, but the duty of raising objections, if objections

were not raised before them ; my suggestion being that some of the poorest who are most affected have neither the knowledge nor the means, sometimes from want of knowing how to do it, to go before the Local Government Board upon such points.

Lord Balfour of Burleigh: I should like a little further explanation as to the exact local authority which is to be compulsorily obliged to acquire markets in any given district?— I think that in each case it should be what you would ordinarily describe as the local authority. It was rather for the purpose of raising money generally that I put the County Councils.

Your desire being that those who use the market and benefit by the market should have the management of it?—That is to say, that the representatives of those who use the market and benefit by the market should have the management of it.

How will you insure that the constituency which elects these representatives will be even generally the same as those for whose benefit the market is established?—It never will be entirely so ; but there is nothing perfect in legislation at any rate, and therefore we get the nearest we can to it. We cannot get the local authorities elected by the consumers, nor would it be fair with reference to other matters which they have to deal with ; so that one takes, without making a fresh authority, the authority which certainly will have the burden of taking charge of these things and keeping them up and maintaining them.

But do not these difficulties, although they may be difficulties of detail, suggest some doubt in your mind as to the wisdom of compelling the local authority, as distinguished from empowering it, to buy up and manage markets?—No.

Would not the evil of one set of people managing a market, which is used largely by and established for others, arise in the case which I have just put?—Yes ; but the evils on balance do not appear to me to be shown to be so great in the case of management by local authorities as in the case of management by private individuals. I think that if we take markets now existing in the hands of local authorities, even allowing to the fullest all objections that may be urged against them, they have been much more beneficial to the people than those in the hands of private owners.

But would it not be, as the Chairman suggested to you in one of his questions, that when these grievances did exist, if the local authorities had the power, they would be quick to act; but that when they thought that the difficulties that would occur would be greater than the existing evils, they would not act, and that therefore it would be a pity to do away with the elasticity of the system?—I do not see my way to modify the answer which I have already given.

I understood you, I think, to say that this special tribunal was to investigate the title, and the manner in which the present owner of the market had discharged his duty?—Yes.

How far back would you go in that investigation?—I think that in order to prevent harassment, it would be a fair thing to limit the time to which they should go back, but I have not considered the point at which the limits should be fixed. I think they should ascertain first what the original charter was, and unless there had been clear evidence of greater advantages having been afforded at particular times which had subsequently been diminished, there should be some limit as to the time of going back.

Could you suggest any limit?—No, I have not sufficiently considered it to suggest a limit, but I should see no harm in limiting it to the last 40 years, or something of that kind.

Did I rightly understand you to say that when, in the opinion of this tribunal, insufficient accommodation had been provided, you would only allow seven years' purchase of any net revenue which was going into the pockets of the present holder of the market?—Unless the charter owner could show that he had tried to provide sufficient accommodation, and that he had been prevented from providing it, as might be in some cases by the adjoining owner of private land asking an exorbitant price, or by the local authorities preventing him, as they might do, supposing that the powers in their hands happened to conflict with his.

Would you lay down a hard and fast rule that if a man had spent a considerable sum of money, but not in the opinion of the tribunal a sufficient sum, you would still give him only a seven years' purchase of the revenue that he is deriving from *bonâ fide*

expenditure?—Certainly, if the tribunal found it to be insufficient, because, although it might be considerable, so far as that individual was concerned, it might be absolutely ridiculous as compared with the population for whom he ought to have provided the accommodation.

But you would have, would you not, to allow a very considerable amount of discretion to the tribunal, because the necessity for increased accommodation might have arisen very suddenly, or the trade might have increased very rapidly?—I think there should be very wide discretion in the tribunal, because so many new matters with no precedent to guide them in coming to a decision would arise.

Would you allow any appeal from the decision of that tribunal?—It would depend upon what the tribunal was. If the tribunal was a Division of the High Court (and I am inclined to think that that would be an expensive tribunal) I should think not; but if a special tribunal was erected of an inferior character (not using the word in any disrespectful sense), then I think there might be, and perhaps ought to be, an appeal to the High Court of Justice; but I would not have it appealable to the Court of Appeal and to the House of Lords; I do not think there should be that expense, because that might be practically ruinous to the one side or the other.

They would have to deal so much with matter of fact, at least, as much with matters of fact as with matters of law, that you think that an appeal to a Court as such would not be satisfactory?—No, I am not putting it in that way; I only thought that one appeal to an independent tribunal was sufficient, because the questions that arose would be very limited; but, on that, I have not a very definite opinion.

On what principle do you think that the revenue derivable from the markets should be raised—upon rents for the accommodation of the people who wished to sell, or duty upon packages of goods going in?—I think that the guiding principle should be to let all produce come in on the easiest terms, and whatever method was found to involve the easiest terms, consistent with the convenience of the market, I think should be adopted.

I have not special knowledge enough to enable me to answer the question otherwise.

Should the local authority that owns the market in the first instance fix the method?—As I suggested in my statement in chief, I think it is possible that the framing of general regulations, and so on, will have to be done by some authority, as a general guide in this matter. There will always be special instances at seaports and inland places, places easily accessible by rail, and places not easily accessible by rail, places where the surrounding population is of a character likely to bring in small quantities of produce, and places practically excluded from that, where different reasons would operate; and I should hardly like to express a more definite opinion.

Surely, as a general principle, it would be better that the local authority should make the first draft of the byelaws, and then submit it to the revising authority?—Clearly, I think so.

In your opinion, what should that revising authority be, the Local Government Board or the County Council?—I have no objection to the Local Government Board except this: that I think the less we go to the centre the better; and as you have got your local authorities now, they, with special local knowledge, ought to be far better able to say what is right than the central authority, which must get information somehow with somebody to guide it.

You would be in favor of transferring the powers from the Local Government Board to the County Council?—I think so.

One risk would be that you would thereby not perhaps secure regulations on the same general principles?—I see no reason why you should not have them on the same general principles, if the general principles are expressed in the legislation, which is what I have suggested.

But if the general principles can be laid down in the legislation, you would like to see the confirming power transferred to the County Council?—Yes, certainly.

What are the small growers and producers, to whom you particularly refer as being put to a disadvantage, in comparison with those who produce abroad?—I will take a case at once. I was lecturing in a northern town, and I was having my tea

with a friend who attended the lecture, a working man working in a mill. His wife raised eggs, and I went carefully into the statement with her as to the cost of the fowls and food, and I found that this poor woman was making a profit of some 6s. or 7s. per week, not a large sum perhaps for the Commission to consider, but a very large sum for them. This woman appeared to be very lucky in the position in which she was. The small cottage in which they lived, in a small street, happened to abut upon some waste land which is the property of the municipality of Rochdale, and for a very trifling sum she had the permission to let her fowls run over it, so that she conducted it at great advantage there. But I would suggest that there are many cases in the agricultural districts in which that advantage might be easily acquired. First, I think that there are instances showing that the persons who might keep the fowls and raise the eggs are prevented from doing so; and there are others in which there is no inducement to the parties to make the exertion.

Of course it is obvious from your statement that the individual to whom you refer in this case conducted her business under exceptional advantages?—No doubt.

But what is there in the existing market regulations, or in any regulations which you dread in the future, to put at a disadvantage those who can conduct such a business as you describe?—That very case illustrates it. This woman might occasionally have sold her eggs for a better price to the hawkers who would have taken them round, and thus have saved her the trouble of taking them to her customers; but she was prevented from doing so by the regulations in force at Rochdale, of which, I think, the Commissioners have evidence.

Would those regulations have been relaxed in favor of those sending in eggs from abroad?—Oh, yes.

Why so?—The eggs come in from abroad, and they do not come into the hawkers' hands at all. You see abroad the equivalent of your hawker only as a collector, and not as a distributor. He goes round and collects from all these small people, and delivers to the factors that which is sent by cheap through rates: to take my own illustration, to a large egg vendor in Rochdale, to whom those who want eggs have to go.

If there were any large number of small producers in this country, what is there in any regulations which, you apprehend, would prevent the collector going round in the same way, and handing the produce in large quantities to the sellers?—You will never, I think, have an attempt at small growth here until the people are reasonably sure of a fair possible profit upon their exertions.

With regard to your recommendations on the subject of hawkers, is it your view that persons should be absolutely free to hawk goods without any intervention on the part of the local authorities?—Except the police regulations, which apply to hawkers generally.

Such as that they must not be an annoyance by their cries and so forth?—Those are the ordinary kind of regulations, which I do not propose should be interfered with.

You do not object to those regulations?—I do not consider that it comes within my province to examine them.

I understood your recommendation to be so general that you would allow hawkers to go without any interference at all?—Without interference from market authorities; that was the only kind of interference that I was referring to.

You made no recommendation then that the restrictions for the general convenience of the inhabitants should be relaxed?—No.

Mr. Childers: I will not examine you upon your general plan, which appears to me perfectly homogeneous and self contained; but there is one point as to which I should like a little more information. You propose to sweep away all private rights of market altogether, and to confine market rights to local authorities; would you explain to the Commission precisely what you mean by market rights? Market rights are a monopoly against other people; in what way would you restrain other people from competing with the market?—I would impose no new restriction upon any one in competing with the markets. If one had to deal with the thing now on a plain sheet of paper, I am not at all sure that I should be disposed to advocate the creation of market rights even on the part of local authorities; but I have to deal with a state of things which exists, and which, on the

balance, seems to be attended with more advantage than disadvantage, and any attempt to abolish which entirely seems to me to open the door to possible difficulties which I admit I have not fully considered, and which I am not prepared to deal with. Therefore this is rather an alleviation of existing evils, and as making the best provision one can for food reaching those who need it under the easiest and cheapest circumstances.

But would you kindly explain to the Commission what restrictions you would still leave? I think you said that you would not allow any private persons to form a market in competition with an existing market?—I have not contemplated that it is at all possible that any private person would try to form a market anywhere. I do not think that he could do so. In the only cases in which there has been any attempt to form a market by private persons, they have had to come to Parliament for powers. There are two cases which were rejected, one, I think, the year before last, and one the year before that. If a private person was foolish enough to build a big market on land which he had bought for the purpose, or which he had acquired for the purpose, I would not interfere with him at all; but I do not think he would find it a wise investment for his money. That private person would have no right to levy tolls; he could only take tolls by bargain with the people who chose to come to his place, and if certain people chose to come to his place and pay him so much for coming there, with no exclusive rights against anybody else, except within the limits of his place, I do not think I should impose any restrictions.

Hitherto, of course, no private person could get a market right, if he had no charter, even if he was within the distance, except by Act of Parliament. The point that I want to put to you is this: Do you propose that in the future, restrictions should still continue, so that if I or a Company in possession of a certain amount of land were to put up a market, I should be restrained from putting up that market if it was within an area in which a local authority had a market?—My proposition does not deal with that, because if you registered your Company, unless you obtained statutory powers, which I should oppose and urge ought not to be granted to you, you could not possibly acquire

any exclusive market rights. All that you could do would be to open a big building where people might come to sell and where others might buy from them, but you could not possibly have any sort of right against other people.

I was not dreaming of exclusive rights at all.—I should not prevent it in such a case.

You would not draw any distinction in future between a market and a shop. If I liked to establish a shop on such a very large scale as that, it would be practically a market; and if I sold goods in it, you would not restrain me from doing so because I was not a local authority?—No, because it is clear that, as against the local authority providing the accommodation, you would have no inducement to do so; for I am proposing that the local authority itself shall be prevented from making profit out of its market in relief of the rates, and there is no inducement to a private individual to undertake a necessarily profitless enterprise.

And therefore you would trust to that being a bad speculation?—I would trust to the things which govern ordinary trade.

You would not set up any Parliamentary objection to it, so that I should be restrained before I even went into the business at all, from considering whether I would do it or not?—My view is to encourage people to sell and to buy, not to prohibit anyone from selling and buying.

On whatever scale?—On whatever scale.

Even if I followed the ordinary machinery of a market on my own property?—You would not follow the ordinary machinery, because you could not by law levy any tax; you could only make special bargains with the people, who came to you in each instance, which would not be enforceable apart from the special bargains.

But if I ran that risk, and made a special bargain in each case, you would not prevent me?—I should not prevent you.

Then while you would encourage in every possible way, and make it, in fact, compulsory upon certain local authorities to establish markets, you would not interfere in the least with the sale on their own property, by any person or company, of the

same goods which may be sold in the market?—Most certainly not.

Sir Thomas Martineau : Would your limit of the seven years' purchase apply only to those cases where the owner had not, as you think, done his duty under his charter, or in the provision of the necessary accommodation?—Not quite so. Where he had not done his duty at all I would give him nothing : I think he has too much already ; but where he had insufficiently done his duty, and the insufficiency had not been caused by matters over which he had any control, I would give him limited compensation.

In a case where everything has been done that he ought to do, or could be expected to do, you would put no limit at all to the compensation?—No, I would leave that to the tribunal to assess just as in the case of any other compulsory expropriation.

Without limit?—I think that a man who has done his best should be liberally dealt with when you cancel his ability to do it any longer.

Are you aware that in some of these cases where there has been a sale and purchase of rights, the future contingencies are very largely taken into account in fixing the price?—Yes, I think that would be all matter for the tribunal to deal with.

So that it might be that a price would be fixed which was not based altogether upon what had been received, but upon the expectation of what the future receipts might be?—I must not be taken as implying that there is any case conceivable to me at the moment, in which increase beyond the actual value can be considered ; but I should not like to exclude the possibility of cases which I have not considered.

We have had evidence in one or two cases here of that having very much affected the price which has been asked for market rights.—I would suggest that sometimes local considerations have operated very much—the very thing that I have tried to exclude—in the settlement of local bargains.

If the price is to be regulated by future expectations, as well as by what has been done in the past, it very much affects the answer which you gave to the noble Chairman, as to the point whether the income received by the present owner would be a

fair equivalent for the purchase money fairly given by the local authority?—I would not take any larger methods of calculation in examining and assessing the purchase money to be paid in the case of an owner of market rights compulsorily expropriated, than I would in the case of any other individual compulsorily expropriated, either by a railway company or by a local authority for other purposes.

But the effect might be this: that a very large sum of money would have to be found by the local authority, for which it would not get any corresponding income at the time of its purchase?—I cannot convey into my answer an assumption that that is possible. I cannot assume any case in which the assessment of the amount will involve the payment of a sum of money for which return cannot be got. That would seem to me to show at once that an improper sum had been fixed.

Do you not think that if there had been a steady increase in receipts for a long series of years, it is a very conceivable case that an arbitration or special tribunal would so take that into account that, in fixing a price, he would name a sum which would cover the probable increase for a reasonable time?—It is quite impossible to answer a general question of that kind, because I have in my mind now, a district not very far distant from Sheffield, in which there had been a gradual increase of population in connexion with a developing industry, and in which that increase has not only entirely ceased, but the population has lamentably diminished by the transfer of that industry to another place. I therefore could not give a specific answer to the general question.

What I want to call your attention to is this: that if it should be enacted that a local authority should be bound to buy the markets, whether they wished it or not, whether they think they can make it a good bargain or not, you may be landing some of them in a very large outlay, for which they will not get an immediate remuneration?—I do not quite know whether the stress of that question comes on the word "immediate", but I cannot conceive any fairly assessed purchase money which does not give them a return. If there is any stress on the word

"immediate", of course these local authorities never do immediately get back their outlay.

Supposing that they do not get back their outlay for 10 years, which is a large part in the life of a ratepayer, it is a severe tax on the ratepayers in the meantime, is it not?—I could not, unless I had some special case to consider, bring my judgment to bear on a proposition which does not seem to me at present (I say it respectfully) well founded.

I will not pursue it further, except to ask whether you have considered the possibility, in any legislation of that kind, of making an exception in favor of cases where peculiar hardships might be shown?—No. I quite admit that all laws involve some hardships; I am not sure that any such hardship could arise, but I do see the possibility of exceptions being very dangerous in the destruction of the utility of legislation.

You would not even allow an exception under an order from the Local Government Board, or any central board, on cause being shown?—I think that dispensing powers are not good generally.

With reference to the byelaws, Lord Balfour asked you about the confirming authority. A large number of the larger boroughs and cities, as you have mentioned, are now governed by County Councils; I suppose that in those cases you would still go for the confirmation of byelaws to the Local Government Board?—Yes; I would not leave people to confirm their own byelaws.

And you would not take Liverpool to Lancaster, for instance, or Birmingham to Warwick?—Whatever the ordinary law has done with reference to other matters in that respect, I would not propose to make any exception, but to follow what happened under the Local Government Act, to which I am sorry to say I have not given quite sufficient attention from that point of view.

Mr. Picton : His lordship put it to you that if the price were fixed by the special tribunal that you have indicated, neither purchaser nor seller would be consulted, but the price would be fixed irrespective of both; but I do not understand you to object to the possibility of settlement by mutual arrangement?—Yes,

I rather think I should, and I will tell you why; I want to avoid dealing with instances as to which my information may be doubtful, and which would be unfair to persons mentioned in their absence; but I think I know instances in which, by mutual agreement, sums have been already agreed to be paid, either as cast down, or say as a sum of £5000 a year for ever, which have seemed to me to be open to objection, and I do not think that local authorities should be permitted to make unfair agreements. They would be exceptional cases, and they would become more exceptional still as the thing went on. The interests require watching, as the evidence shows.

Are you aware that under the Elementary Education Act, bargains made by School Boards have oftentimes to be approved by the Education Department before the price is agreed upon?—I should have no objection on the ground of saving of expense. If the persons came together and arrived at the sum, and that was submitted to some authority for confirmation, there would be no use putting people to the expense of ascertaining a thing if they could reasonably agree upon it.

To that extent your answer would be modified?—If my former answer implied more than that.

With regard to the necessity of compelling local authorities to purchase, you ground that necessity on the interest of the consumer, do you not?—Yes.

As a universal rule, the objects of markets ought to be to distribute commodities as cheaply as possible to the consumer; your view, as I take it is, that unless there was one universal rule applied, and all markets passed into the hands of the local authorities, there would be some consumers neglected and unfairly treated?—Yes.

Mr. Charrington: With regard to compulsory purchase, the case of a private market where the market owner offered it to the public authority for the price which it had cost him was before the Commission, but they, on looking into the figures, considered it a bad investment on the part of the public, and declined it. Now if there was compulsory purchase in such a case as that, either the one or the other would be a great loser; either the public would lose in giving too much, or the market

owner would lose a great part of what he had spent?—No; with submission, because either the price asked was a fair and reasonable price, and the refusers were wrong in their judgment, or it was too high. If the price was too high the vendor would not get it from the tribunal; and if the others had been mistaken in their judgment, there is no reason why they should persist in it.

In this case the vendor only asked what he had spent upon it?—But it is quite possible that a man may have spent on a horse more than the value of it.

Mr. Elton: It seems to me that by the details into which you descended in your statement, you rather veiled the real idea that underlay them. What you mean is not a series of purchases and sales between contracting parties; they are only dummies, and they are not according to your plan, as I understand it, to contract at all. What you want is to abolish the existing system of markets, with compensation to private owners on proper rules?—Quite so.

I have heard the discussion, and I daresay it has occurred to you that there may be difficulties, if you express it in language, in saying “purchase” when you really mean abolition?—Yes.

The theory of the English markets, so far as it has appeared in the Blue Books, seems to be rather what you said, that it is a monopoly of taking toll granted in consideration of public convenience being provided?—That is my view, and if I may be permitted to say so, I think the public are very much indebted to the Commission for the statement of the law and history of the markets in the report already issued.

That accommodation was sometimes provided, of course, in modern times, and sometimes in very ancient times. You rather assumed in one of your answers that if a person had given the accommodation in very ancient times, and had never given any since, he could not possibly be legally taking the money now-a-days for what his ancestors had done; is that your view?—If I used the word “legally” I was, perhaps, thinking of the word “morally”.

I venture to correct you, because you are no doubt aware that it has been decided in the courts of law that a somewhat

problematical antique benefit to the public is sufficient consideration for a modern toll?—Yes. I am not quite sure whether, in these cases, the non-performance has been argued with the help of the Attorney-General as a reason for stopping it.

The great case of *Gunn v. The Free Fishers of Whitstable* was taken to the House of Lords, and it was laid down in that case; but that view you would modify at any rate?—Yes, the word “legally” was clearly a wrong word to have used.

Take a case where a person had provided accommodation in this way: that when he built the town he left one of the streets very much wider than the others, and called it a market place, the market still being held there; and he, perhaps, still the owner of the soil, and, further, they have their markets there; would you consider that sufficient accommodation?—I would rather not put myself in the position of the special tribunal to determine what is sufficient. I do not consider that I have the ability to determine what is and what is not insufficient accommodation.

That follows from your previous answer. You said that you would not regard the accommodation which was given in those very ancient times as making a title to modern toll. I took a well known case (I think it is Leeds) where, in one market, it was stated that the owner left one of the streets a good deal wider than the others, and called it a market place, and built the town in that particular shape; is that the kind of ancient accommodation that you would disregard?—That is a matter upon which I would rather not express an opinion. I would rather leave that to the tribunal whose duty it would be to adjudicate upon it.

Then, of course, there is another view of markets which has prevailed in some other countries, that the market is merely a matter for the local authority to administer as an ordinary matter of public convenience; that is the view to which you lean?—If “public convenience” includes in it the getting to the consumer in the easiest and cheapest manner all that he requires of food produce.

You would do away with monopoly as far as possible?—Yes. Either for persons or for classes?—Yes.

Even for the class of the ratepayers of the place where the

market is founded?—I think that the ratepayers, in relation to food, should have no rights superior to those of the consumers of the food. I do not think that the ratepayers should have to incur a special burden for the consumers, but they ought not to have any privilege as against the consumers.

Instead of providing this food supply by means of a franchise or privilege you would substitute a new principle of doing it through local self-government?—I think so.

Of course, there are a great number of private Acts regulating markets over the country: I understand your view to be that if you established a system of making market schemes subject to proper bye-laws, you might follow some other examples, and say that all Statutes and Acts inconsistent with that scheme are hereby repealed?—I think it might be as well in the general legislation to repeal all these Statutes at the end of, say, three years, so as to give sufficient time.

That is what we have done in the case of the Endowed Schools Department?—I quite agree that your opinion and information upon that matter would be much more valuable than mine. I have not sufficiently considered it as a point of detail, and, therefore, I should not express an opinion upon it.

Would it not be more convenient not to go into all these hundreds of Acts and abolish them separately, but to allow schemes to override them when made?—Except that I would not leave them to live if by accident the schemes were not made.

Then with regard to the compensation, I understand that you want to avoid the evils which have sometimes occurred in the case of Lands Clauses Act compensation; that is to say, over-valuations and valuations on wrong principles, and local land surveyors giving people large prices. Have you ever considered the way in which the Land Commissioners manage the compensation in the case of the enfranchisement, for example, of copyholds?—No, my information is very incomplete on that point; I have only very general information upon it.

Take the system to be something like this: that except the parties agree a competent valuer shall go down, acting on certain principles laid down, that he holds an inquiry and fixes the value, that it is subject to an appeal to the Board of Agriculture, or to

the Land Commissioners, or the Local Government Board, or whatever may be the tribunal existing at the time; and that then, if they do anything wrong, there should be an individual appeal on the point of law by way of injunction or mandamus to a court of law, but that a department should do it rather than a tribunal in the sense of a court. Do you think that is a convenient system?—I think it is.

Would not that work out your plan?—I think it would. I only used the word to avoid the difficulties which you have already anticipated. However, that is a matter of detail.

You are not hard-and-fast devoted to having a judge, and a court, and wigs, and all that sort of thing, in the case of every market in England?—Certainly not, if it were possible to avoid it.

You take it that it might well be considered whether that Land Commission plan, subject to an appeal in case of a legal point arising, might not be the best method of dealing with the matter?—Yes, and I think that it would be an advantage to deprive any such negotiations of the character of litigation.

Unless a point of law arose?—Unless there was an absolute necessity.

What you said about model bye-laws and model schemes is carried out in other departments, and that, of course, would be most convenient. Then, putting it shortly, the observations which you have made about the principles on which compensation should be assessed would, in my view of a department doing it, be laid down as rules?—Yes.

Such rules as the Land Commissioners issue to the public now about copyholds?—Yes.

That in fixing the compensation the valuer should take into account the following rules as to whether accommodation has been properly provided, and so on?—I would rather not go into the "as to's"; I am agreed in the main.

As to such points as those you have mentioned to-day?—Yes. I should not like to give a list of cases from which I might omit something or in which I might improperly include something. Such details, governed by what I have already said, I should think ought to be included.

The principle which you suggest, or something like this, might be embodied in rules for the guidance of the tribunal?—Yes, or any principles which the Commissioners finally considered should govern the matter.

I will not go into such details as those of sham markets. You would not interfere with stores; anybody who tried to set up a sham market would not get any compensation?—No. Perhaps I may be permitted to add that I do not think that anybody setting up any kind of market from now, ought to be entitled to any compensation under any legislation.

You told us that they could not set up any market at all, in which I quite agree?—That is so.

When you started the discussion which led to this Commission being appointed, you mentioned two or three towns in which I am interested; I should like to know whether you have made further inquiry as to those, or whether you have read the evidence. I see that you have been speaking of them quite lately; have you any special objection to the way in which the markets in those three towns, Taunton, Bridgewater, and Chard, are conducted, or do you wish to modify the observations that you have made?—If the Commission will permit me, I may only say that I have read as carefully as it is possible the whole of the voluminous evidence which has been taken, except the batch which reached me last night. If I may say so, I am perfectly content with the case as the Commission has taken it; I think that it has been most exhaustively taken; and I have no desire to make any kind of comment upon it. Naturally my speech in Parliament, though I tried to make it as accurate as I could, was made upon the *ex parte* statements that reached me up to that time, and I would rather not put it as in any way clashing with the evidence that has been taken. There was one obvious error, I think, as to Bridgewater, which I corrected in the *Times* the following week. I think, if I may be permitted to say so, the case which I submitted has been more than made out.

With regard to the cases of Taunton, Bridgewater, and Chard, subject to the correction which you have already made in public, you prefer that the evidence should be taken as it has been published by the Commission, rather than that we should

go back to the statements which might possibly have been (I do not say they were) inaccurate in some points?—Certainly. I should prefer that the Commission disregarded the speech I made on that occasion entirely so far as regards matter of fact, because it was made on imperfect information. I think it has been more than substantiated right through, but there may be inaccuracies as to place, or date, or detail.

And you refer us to the evidence on those points?—Quite so.

Chairman : Is there anything that you wish to add?—Nothing at all except to express my regret for having detained you so long.



RELIGIOUS PROSECUTIONS ABOLITION BILL.

House of Commons, 12th April, 1889.

Mr. SPEAKER,—the Bill, the second reading of which I have asked the House to pass, is directed against prosecutions which are partly prosecutions at common law and partly prosecutions by Statute. The Statute is the 9th and 10th William III, chapter 35, and that Statute enacts that any person convicted of blasphemy shall, for the first offence, be adjudged incapable and disabled in law, to all intents and purposes whatsoever, to have, to hold, or enjoy any office or offices, employment or employments; and shall, for a second offence, be adjudged disabled from being a plaintiff or defendant in any suit, or from being the guardian of his own children, or from being capable of receiving any legacy, and shall be liable to imprisonment for the space of three years. The Act has been held to be supplemental to the common law. I may best describe the Statute by using the words of Lord Coleridge, uttered in a case which was tried six years ago. In the course of the defence, the Statute had been described as shocking, and Lord Coleridge said: "Some old things, and amongst them this Statute, are shocking enough, and I do not defend them". In a judgment which Lord Justice Lindley delivered in 1885, His Lordship spoke of this Statute as cruel in its operation against the persons against whom it was directed. The Statute of 6th of George, chapter 47, which applies to Scotland, makes the offence punishable by 14 years' transportation. Now, Mr. Justice Stephen in his "History of the Criminal Law", which was written and passed through the Press in 1882, although it was published in 1883, wrote: "Offences against religion can hardly be treated as an actually

existing head of our criminal law. Prosecutions for such offences are still theoretically possible in a few cases, but they have in practice become entirely obsolete." Unfortunately, whilst the History was passing through the press, several prosecutions were initiated. One of these cases was tried at Maidstone; two were tried at the Old Bailey; and two, in one of which I was myself the defendant, were removed by *certiorari* to the High Court, and were tried before the present Lord Chief Justice of England. Here are two views of the law which it is my duty to submit to the House, one, the view taken by the present Lord Chief Justice of England—namely, that it is only the manner of a blasphemous libel which should be censured, and that a calm, and clear, and cool statement of views could not bring a person within the operation of the laws relating to blasphemy; and the other, the view which, with all submission to the great Judge who has expressed the contrary opinion, I am afraid is the real view of the law—the view which was formed by Mr. Justice Stephen and Mr. Justice Hawkins sitting in the Queen's Bench Division, and which was mentioned in the charge of Mr. Justice North in the trials at the Old Bailey; and formed in the case of the Attorney-General *v.* Bradlaugh reported in the *Weekly Reporter*, vol. 433, especially by Lord Justice Lindley. It seems to me that the real state of the law has been very fully explained by Mr. Justice Stephen in an article that appeared in the *Fortnightly Review*, and which had been published in examination and criticism of the charge of Lord Coleridge to the jury in the case of the Queen *v.* Foote and others. Mr. Justice Stephen there urges that the law as it now stands is a bad law, and recommends the very measure which I am bringing before the House to-night. It is right, however, I should state Lord Coleridge's view—the view that it is the manner and not the matter of the blasphemous libel which should be considered—before I put what I conceive is, unfortunately, the real view of the law. Lord Coleridge says: "It is clear, therefore, to my mind that the mere denial of the truth of the Christian religion is not enough alone to constitute the offence of blasphemy;" and he goes on to point out that all prosecutions for blasphemy, according to his view, tend to failure.

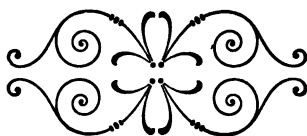
Further on in his judgment, Lord Coleridge says: "Persecution, unless thorough-going, seldom succeeds. Irritation, annoyance, punishment which stops short of extermination, very seldom alter men's religious convictions. Entirely without one fragment of historical exaggeration, I may say that the penal laws which 50 or 60 years ago were enforced in Ireland were unparalleled in the history of the world. They existed 150 years ago; they produced upon the religious convictions of the Irish people absolutely no effect whatever." I submit to the House, that all kinds of enactments which are in the nature of persecution for opinion, are enactments which fail in doing anything except driving the expression of opinion into its worst and roughest forms, and therefore, they ought not to be desired by anyone who has in any degree any faith in any kind of liberty. Mr. Justice Stephen, reviewing the charge of Lord Coleridge, a charge which he praises in language not too strong, says: "My only objection to it is that I fear that its merits may be transferred illogically to the law which it expounds and lays down, and that thus a humane and enlightened judgment may tend to perpetuate a bad law by diverting public attention from its defects. The law I regard as essentially and fundamentally bad." Now when a learned judge, who is now engaged in trying cases, can thus describe this portion of the law, I think I can submit there is something like a *prima facie* case for its repeal. Lord Justice Lindley in delivering judgment in the case of the Attorney-General *v.* Bradlaugh adds: "It is a mistake to suppose, and I think it as well the mistake should be known, that persons who do not believe in a Supreme Being are in the state in which it is now commonly supposed they are. There are old Acts of Parliament still unrepealed by which such people can be cruelly persecuted." And it was because Lord Justice Lindley found this law on the Statute Book, that he said he felt constrained to hold it as he did in the case then before him. What is the state of the law? I prefer to put it in the words of Mr. Justice Stephen rather than in my own. He quotes in support of his statement a large number of cases, and he proceeds: "The result of the examination of the authorities appears to me to be that to this day Blackstone's definition of blasphemy must be

taken to be true ; and, if this is the case, it follows that a large part of the most serious and most important literature of the day is illegal—that, for instance, every bookseller who sells, every one who lends to his friend, a copy of Comte's *Positive Philosophy*, or of Renan's *Vie de Jésus*, commits a crime punishable with fine and imprisonment. It may be said that so revolting a consequence cannot be true ; but, unfortunately, this is not the case. I suppose no one will, or indeed can deny that if any person educated as a Christian, or having ever made profession of the Christian religion, denied that the Bible was of divine authority, even by word of mouth, he would incur the penalties of the 9 and 10 William III, c. 32. I will take a particular instance by way of illustration of this. The late Mr. Greg was not only a distinguished author, but an eminent and useful member of the Civil Service. I suppose he was educated as a Christian, and no one could have a stronger sympathy with the moral side of Christianity. In every one of his works the historical truth of the Christian history is denied : and so is the divine authority of the Old and New Testament. If he had been convicted of publishing these opinions, or even of expressing them to a friend in private conversation, his appointment would have become void, and he would have been adjudged incapable and disabled in law to hold any office or employment whatever ; in a word, he would have lost his income and his profession. Upon a second conviction, he must have been imprisoned for three years, and incapacitated, amongst other things, to sue or accept any legacy. About this there neither is, nor can be, any question whatever." And after a long and careful summary of the law, as laid down in many decisions, Mr. Justice Stephen winds up : " In my own opinion the practical inference is that blasphemy and blasphemous libel should cease to be offences at common law at all, that the Statute of William III should be repealed, and that it should be enacted that no one, except a beneficed clergyman of the Church of England, should be liable to ecclesiastical censures for 'atheism, blasphemy, heresy, schism, or any other opinion'. Such an abolition would not only secure complete liberty of opinion on these matters, but it would prevent the recurrence at irregular

intervals of scandalous prosecutions, which have never, in any one instance, benefited anyone, least of all the cause which they were intended to serve, and which sometimes afford a channel for the gratification of private malice under the cloak of religion." I ask this House to give effect to what the learned Judge has said. I know there are one or two arguments that may be used to weigh heavily against me. One is, that the class for whom I speak is a comparatively small class. (Mr. DELISLE: "Hear, hear.") There would be no reason in denying liberty to one man, even if he stood alone. Every opinion, in every age, has been at some time small; and those who hold opinions which, within 100 years, have been the subject of cruel persecutions within this realm, should be the last to endorse the doctrine of persecution against those weaker than themselves. It may be urged that the severe penalties of the law are seldom enforced. It is only about 50 years ago that, under this Act, one man suffered nine years and eight months' imprisonment in this country, and was also condemned to pay an enormous fine. It did not check his issuing the literature against which the prosecution was directed. It only had the effect of endearing him to a large number of people, and of making many purchase the writings he issued, who might otherwise not have done so. I hardly like to seem to be thrusting my personal case upon the House, but I may be permitted to remind the House that the declaration has been made very formally, in print, that the prosecution which was directed against me was initiated for the direct purpose of disqualifying me, under this Statute, for the term of my natural life, from taking part in the political work of the country. I submit to the House that, ruling as it does over 330,000,000 of human beings, of every kind of faith or lack of faith, it is our duty to treat all alike. What is the effect of the law as it stands? Two years ago a legacy was left to myself and a gentleman in Manchester for the purpose of endowing an institution. We were all persons who might have been indicted as blasphemers under the law. The legacy was left for purely educational purposes, but the legacy was set aside, first of all in the Court of the Palatine of Lancaster, and next on appeal, on the ground that a bequest for such a purpose was an illegal

bequest and voidable. It may be said: "we would not object to your being allowed to utter your views, but we object to your uttering your views in offensive language". But if persons utter their views in an offensive manner, and so as to provoke a breach of the peace, they are punishable under the law as it now stands. The fact that the law is not always enforced; the fact that it is seldom enforced; the fact that Mr. Justice Stephen in his "History of the Criminal Law" describes the law as obsolete; the fact that Lord Justice Lindley has referred to the law as cruel in its operation, should tend, I submit, to induce the House to grant the Second Reading of this Bill. I can quite understand it is possible that people will say that views differing from their own should not be offensively urged; but that brings in the question of the manner of the advocate rather than that of the matter, and I put it to persons who hold this view, whether the keeping on the Statute Book of this harsh and cruel law does not deprive many of us, who may wish to tone and temper argument, of any fair reason for checking harsh or hasty speech or utterance. Again, let me point out that the word "blasphemy" for which you punish to-day, has been an ever-changing word. It is only 240 years ago that a man, Naylor, the Quaker, of the same faith as the man (Mr. Bright) whom all of us in this House honored, was tried for blasphemy. George Fox, William Penn, and scores of their co-workers were sent to goal, or whipped at the cart tail as blasphemers. The Unitarians, had they lived even later than the times of which I have just spoken, would have come within the penalties of this Statute, which Lord Coleridge says gives a ferocious power against people, and which Lord Justice Lindley condemns as an essentially bad law. I feel that this is not a time of night to trespass unduly on the attention of the House. I can only appeal to the generosity of the majority, but I would point out to them the position in which they put those who differ from them when they lack generosity themselves. I have sometimes tried to argue with my friends in France against the strict enforcement some of them have put on the Anti-Clerical laws; they have answered me, "the Church shows us no mercy". It is that kind of unfortunate spirit which treats opinion as if it were a crime, and

thought as if it were a crime, when the very honesty of the utterance of that thought, that expression of opinion, shows you that the persons against whom you direct your Statute have at least the virtue of honesty to redeem their action from being classed with that of the ordinary criminal. It is against this unfortunate spirit I am arguing; it is for these people I am pleading to-night. I am pleading for many who have found trusts for their children cancelled, as was the case with a member of this House, honored while sitting in it because of the family to which he belonged, and for the great name and greater traditions associated with it—I mean Lord Amberley. He found his trust for his children cancelled, because the man whom he honored enough to give the trust, might have been brought within the scope of this statute. It is too late to-day to keep these penalties on the Statute Book. The Bill may not receive sanction for its second reading to-night; but it is something—and I thank the House for it—that the House has listened patiently and generously to an appeal made on behalf of an unpopular minority; and one day or other justice will have to be done, and I ask the House to do it whilst those for whom they are asked to do it are few and weak, rather than leave us to win, as win we will, that outside public opinion by the ballot which determines what the law shall be.



PERPETUAL PENSIONS.

House of Commons, May 16, 1889.

MR SPEAKER,—I beg to move “That this House dissent from so much of the proposals of the First Lord and Chancellor of the Exchequer, contained in the Treasury Minute of July 20, 1888, relating to perpetual pensions, as proposes ‘that holders of pensions, allowances, and payments which the law officers of the Crown consider to be permanent in character, and to which no obligations of an onerous kind attach, should be invited to commute such pensions, allowances, or payments on the same terms as have been accepted in the numerous cases already commuted’; and this House approve the Report of the Select Committee on Perpetual Pensions, ‘that the rate of commutation usually adopted, of about 27 years’ purchase, is too high’”. In view, sir, of what I understand to be the general wish of the House, that an early division should take place upon the motion, I do not intend to cumber the discussion with matters of personal detail of the pensions which can be found by all hon. members in the Report of the Select Committee—in the evidence, as well as in the appendices to the Report. I shall only take the distinction made by that Report, namely, that there are some pensions, not many, granted for services rendered, and a great many ranking under circumstances difficult to justify at any time, and almost impossible to justify with the feeling at present prevalent in the House. I hope it will not be necessary to treat the subject as a party question, although the Government may feel bound to defend a minute for which, as it is, I presume, the work of the Permanent Secretary to the Treasury, the Chancellor of the Exchequer is nominally responsible. At no time has the agitation on the question been of a

party character, and the vote to be taken will not, I hope, be made by the Government one of mere party allegiance. When I had the honor of bringing this motion before the House—very imperfectly, it is true—in the short autumn Session of 1881, I presented a number of petitions, a large proportion of the signatures to which were those of Conservatives. Now, to-night, I am merely asking the House to stand by the decision of its own Committee—a decision not arrived at by a party or majority vote, but with absolute unanimity and with the consent of her Majesty's Attorney-General, who then represented the Government very effectively upon that Committee. The constitution of the Committee shows ten supporters of the Government, and seven members of the Opposition, and I think that without exceedingly strong grounds, grounds which I have never yet heard alleged, it will be almost too much to imagine that the House will repudiate the decision of the Committee, which has been practically endorsed by the House itself, in a resolution of March 23, 1888. I hope that the House will on this occasion, as it usually does, support Committees which have been at great pains to examine into grave matters, involving much detail, and that it will not hastily and lightly dismiss from its attention a judgment arrived at after full consideration, after many sittings, and with the absolute and active concurrence of the Attorney-General and nine supporters of the Government. The resolution arrived at by the Committee was to the effect that steps should be taken forthwith to determine hereditary pensions and allowances, with due regard to the just claims of the respective recipients, and to economy in the public service. In consequence of that resolution, the minute with which I disagree was laid on the table of the House on July 20 last, and 20 days had to elapse before it could come into force. As the minute, however, was in print during only the last three days of the interval, it was impossible to challenge it at the time. A day for its discussion was promised in the adjourned session last year, but the promise could not be fulfilled, and therefore, though nearly a year has elapsed since the minute was first laid on the table of the House, the delay in challenging it has not been due to any fault of mine. This opportunity is now given

me, in accordance with the terms of the letter sent me by the First Lord of the Treasury, specifically promising an early day this Session. In the minute the Government agree that pensions, allowances, and payments ought not in future to be granted in perpetuity; that offices with salaries and without duties, or with mere nominal duties, ought to be abolished; and that the existence of all perpetual pensions, allowances, and payments should be determined and abolished. The Government, having agreed to that last declaration, are hardly dealing fairly with the House if they propose to give all pensioners, in abolishing their pensions, a sum which would realise to them for ever an amount nearly equal to the pension. I see the Chancellor does not agree with me, but I am going to quarrel with his arithmetic, if the House will bear with me.

Mr Goschen: We do not propose to give in each and every case any particular sum.

I am delighted to hear that, but if there is to be a distinction between cases it is a pity the Government have not said so before. The Government say most accurately that it is not in their power to bind their successors, and I am glad of the admission, because it has weight in reference to a later statement in the minute to the effect that the present Parliament and Government are bound by the Acts of previous Parliaments and Governments. If the former declaration be true, there can be no force in the latter one. I would urge as a principle that no Parliament has the right to bind for ever all future Parliaments in relation to payments which may come to be considered as disastrous, fraudulent, and demoralising. The Government state: "The remaining payments and pensions due to individuals are 16 in number, involving a yearly cost of nearly £12,000, while further annuities, amounting to between £23,000 and £24,000 a year, are mainly payable to bodies and corporations". I do not know whether the word "mainly" was used accidentally or designedly, or whether it was used to cover the fact that there are other individuals not included in the 16, and other pensions not included in the £12,000. They are 25 in number, and I will read them to the House. It is just I should say the Secretary to the Treasury has laid on the table

to-day a paper in reference to this subject. In the paper there is a statement that there are only 16 individuals receiving pensions. Let me read my list to the House. It is one which members can check for themselves from the appendices to the Report of the Select Committee: "(1) Viscount Exmouth, £2000; (2) Earl Nelson, £5000; (3) Lord Rodney, £2000; (4) Duke of Grafton, officer of the Pipe, £62 9s. 8d.; (5) Sir Edward Hulse, £10 4s. 6d.; (6) Heirs of T. Warren, £12 7s. 2d.; (7) F. J. Prescott, £261 5s.; (8) E. Wadham, £9; (9) Duke of St Albans, £965; (10) Earl Dysart, £75 10s.; (11) Lord Dauverquerque, £375 16s.; (12) Marquis of Devonshire, £216 3s. 4d.; (13) Marquis of Devonshire, £13 18s. 4d.; (14) Duchess of Lancaster, £803; (15) Duke of Cornwall, £16,216 16s.; (16) Sir Patrick Walker's heirs, £242 15s.; (17) Duke of Hamilton, £45 10s.; (18) Mary Pendrell and Richard Pendrell's heirs, £100; (19) William Pendrell's heirs, £100; (20) Jno. Pendrell's heirs, 100 marks; (21) Humphrey Pendrell's heirs, 100 marks; (22) George Pendrell's heirs, 100 marks; (23) Elizabeth Yates' heirs, £50; (24) Duke of Grafton, £6870; (25) Duke of Richmond, £19,000." I, therefore, make the number of individuals 25, and the amount a few thousands more than £12,000.

Mr. Goschen: Will the hon. gentleman refer to the particulars of the grants to the Duke of Richmond and Duke of Grafton?

I can quite understand why the Chancellor of the Exchequer has been misled by his advisers as to these particular pensions. It is the fashion to say that the pensions of the Duke of Grafton and of the Duke of Richmond have been commuted. Neither of them has been commuted. [The Chancellor of the Exchequer signified dissent.] I see the Chancellor of the Exchequer disagrees with that, but as I have given at least 16 years to the study of this question, and had the opportunity of considering it while Parliament allowed me to do nothing else, the Chancellor of the Exchequer will perhaps allow me to state my own view of it, especially as it is fully corroborated. What was done in the cases of the pensions of the Duke of Grafton and of the Duke of Richmond? The Duke of Richmond was the son of one of our kings, who would not in ordinary law have been entitled to any kind of

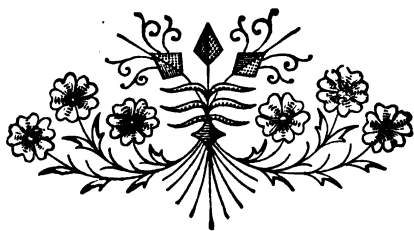
maintenance. He was, however, provided for by his father out of the coal industry of this country by 1s. per cauldron upon coal, a charge which operated as a curse on the Tyneside industry for fully a century and a quarter, and which at the end of the last century was turned into a cash payment of £19,000, to secure the due payment of which—perhaps to protect it from irreverent hands, like those of Joseph Hume, or from worse ones, like those of myself—a sum of money was invested in Consols. The money was not given to the Duke of Richmond, but kept as the property of the nation, with the First Lord of the Treasury, for the time being, always one of the trustees. It is true that with the consent of the House the bulk of the sum of £633,000 so invested has since been invested in land, every farthing of surplus on which beyond the £19,000 per annum belongs to the nation. It is true that until the Committee sat there was great doubt whether a large amount of this land had not been dealt with as if the nation had little or only a remote right to it. But each parcel of this land is scheduled in the Report, and I cannot understand why the Chancellor of the Exchequer leaves it out, because, if I am well informed, this land is worth more than £19,000 a year; it has often brought in more since it was bought; and therefore I wonder that the acute mind of the Chancellor of the Exchequer has not looked for this surplus also. I mention this to show the absolute carelessness of the Treasury in dealing with matters of such importance. The case of the Duke of Grafton, as to which the Chancellor of the Exchequer also asks for information, is a case of similar provision made by the same king for another of his sons, but by another of his wives, I do not mean by the Queen. This was only one of several provisions. I know nothing more monstrous than the story of the Grafton pensions, some of which have been commuted and are now outside the reach of Parliament, but which within the last 40 years have brought to the dukedom of Grafton enormous sums out of the taxpayers' pocket for services, if they could be called so, against which all the morality of this nation would revolt if the persons had happened to be the poor, the wretched, and the miserable. All the pensions of the Duke of Grafton, save three,

had been commuted before 1881. Large as has been the income of the Duke of Richmond, it has been a trifle compared with the pensions poured into the pockets of the Grafton family. Every member of the first Earl of Grafton's family was pensioned, and the pensions reverted, on the decease of the original pensioner, to the Earl. The pension of the lady whose services originated the pensions with which I am now dealing was fixed for life, with reversion to the Earl of Grafton, who afterwards was Duke of Grafton. In the case of the Grafton money a sum of £30,000 still stands in the Consolidated Stock, but in the case of the Duke of Richmond there is only £80 odd standing there—possibly left there to keep the account open—the rest of the money having been put in land. I have only given these particulars in answer to the Chancellor of the Exchequer. Now, the Government go on to state their disagreements. The Committee recommended that in all commutations of existing pensions and allowances, the Lords of the Treasury should take into consideration the causes of such pensions, whether or not any real service had been rendered by the original grantee, or is now performed; and I understand the Treasury, as represented by the Chancellor of the Exchequer and the First Lord of the Treasury, to say they will do nothing of the kind. Their reasons astonish me. They say they are not prepared to commit themselves to a pledge which may bring the public faith in question, and they make their case strong by referring to the report of the Select Committee which was appointed by Mr. Spring Rice in 1837. They say they are now going to do what the Committee did in 1838, and they add, "The Committee, it is true, recommended that a few pensions should lapse or be modified". That is rather an astounding presentation of what that Committee did. There was a Committee which the right hon. gentlemen do not allude to, which sat prior to 1838, but which is referred to in the report of the Committee of 1838. That Select Committee of 1830 reduced the pensions, which amounted to £145,750 per annum, to £75,000. Was there a breach of faith in that, or did they do the duty this House should always do—stop improvident payments by whomever made? What did the Committee of 1838, on which the Chancellor of the Ex-

chequer and the First Lord rely, do? The Committee said it did not appear to them rash or unjust, but, on the contrary, strictly their duty to inquire into the causes which originally produced and justified the grant, and to find out whether they still existed; and they further said they endeavoured to decide whether each separate grant could be either objected to or defended—the very thing the Treasury to-day say they will not do, and which they said they would not do on the authority of the Committee of 1838. As I have said, the Chancellor of the Exchequer and the First Lord of the Treasury say the Committee recommended that a few pensions should lapse or be modified. I find that the Committee instituted such a searching inquiry that 21 pensioners resigned their pensions rather than face the inquiry. They absolutely suspended eight pensions. With reference to six pensions, they lessened the amounts paid and shortened the time for which they were to be paid; while with respect to 14 pensions, they reported that they did not consider it expedient that any of them should be continued. Parliament endorsed what the Committee did, and this is what the Treasury calls recommending that a few pensions should lapse or be modified! I do not want the Government to get rid of 21 pensions, or even to suspend eight, or thus deal with six or 14; all I ask is, that the House having determined they should be abolished, and a Committee of the House having unanimously voted that 27 years' purchase is too high, and that they should not give to any pensioner who has rendered no service at any time an amount which is equivalent, or nearly equivalent, to a perpetuation of the pension, the Government should act accordingly. This is no party question. Conservatives as well as Liberals have pledged themselves upon it. The Committee has dealt with the question in no rough spirit. The Attorney-General, representing the Government, has carefully gone through every line of the Report, and in these circumstances it is too much for the Government to come forward and say they intend to fly in the face of the constant declaration of the representatives of the nation. The Chancellor of the Exchequer, indeed, suggests, and suggests truly, in the paper which has just been laid on the table, that

even at 27 years' purchase there will be an effective saving to the nation of, roughly, something like £9000 a year. I admit at once that that is better than nothing. But that leaves the Richmond and the Grafton pensions entirely out of the question; because under no circumstances can they be dealt with as part of the scheme on which the House is to pronounce an opinion to-night. I have never denied that a commutation is a saving. I am glad that 330 pensions have been commuted since I commenced my attack upon them, because I know that involves a considerable saving to the nation; but I say that now you have a solemn judgment of the Committee; you have deputed a Committee to examine whether or not the rate of 27 years is too much, and that Committee has reported that it is; and it is no answer to say, as the Chancellor of the Exchequer says, that because the conversion scheme was carried last year therefore we are to go back. Whether the people put their money into the Funds or anywhere else is no affair of mine, but of these pensions not one-fourth should be given at all; and, in fact, it is a shame to the House that it has suffered them to be paid so long. It is not a sufficient answer to say that a saving comes to the nation at 27 years' purchase, for the Committee knew that. In the minute to which I am objecting, the Government say that they cannot agree that the terms given to individuals are too high, and they do not agree because some saving comes to the nation in commutation. It will not do, because some nobleman or gentleman, or some person high in influence, may feel dissatisfied, to go back on the decision of the Committee and undo all they have done. The plea put forward in the minute, that it would be a breach of faith, cannot be maintained for a moment, except in the cases of pensions for which services may have been rendered; and if there are such, I do not want to put on the Government any stress of strictness. But, I understand the Committee have said, in effect, that 260 years, 240, or 200 years ago, pensions were put upon the taxpayers that ought never to have been so put, for causes that cannot ever be plainly stated in the House of Commons without provoking immediate reprobation, and without seeming to make a grossly personal attack. But if persons do not wish

to inherit the blame they should not wish to inherit the profit. Although I fear I have already trespassed too long on the indulgence of the House, there is still one point I must answer. I do not often endeavor to ascertain the feelings of hon. members on the other side as to any proposition I intend to submit to the House, for I think it is hardly fair to do so. But one of the most intelligent members of the party opposite said "I agree with you in principle, but it is a small matter". But I say nothing is too small to be honest upon, and if you require honesty from the people, you must be honest towards them in all matters, whether they affect £10,000 or £10. I ask the House to affirm the principle, and I confidently ask the House not to go back upon the unanimous decision of the Committee.



**THE STORY OF A FAMINE INSURANCE FUND,
AND WHAT WAS DONE WITH IT.**

House of Commons, August 27th, 1889.

I have placed on the Paper notice of my intention to move an Amendment expressive of the deep regret of the House, that the accounts have not been laid before it at a period when they could be properly debated. I do not propose to move that Amendment, because the state of the House is such that no division on it could accurately represent the feeling of the House upon it; and if I did divide, it might go forth to the people of India, that a very large number of members had no regard whatever for the Indian people, and that a very small number of members of this House thought their affairs ought to come before Parliament for discussion. Therefore, while making as I do a most earnest protest—a protest which, I believe, would be joined in by members on the other side of the House as well as by members on this side, if it were not for party exigencies at this late period of the Session—I desire to give it especial emphasis, because of the fact that the modification in the new Rules of Procedure, during the last two years, has deprived those who desire to present to this House any statement or criticism, of any opportunity whatever of doing so, unless such opportunity is furnished by the action of the ballot. Even if a member happens to be fortunate enough, as I was early this session, to obtain first place for a motion dealing with the affairs of India, it may be that the Government will take away the opportunity which the ballot has given him. India stands here in an entirely different position from any other part of the dependencies of this great

empire. There is no colony, however small, but that, upon the estimates, we have had afforded us one or more opportunities of raising any question which any member thinks ought to be brought before this House in relation to it; but the same thing cannot be said with regard to India, with the enormous population, to which the hon. gentleman the Under Secretary has referred, of something like 210 millions of actual subjects of the Imperial Crown, and another 65 millions of people more or less subject to its influence. I am of opinion the present system is one which any person taking any interest whatever, however remote, in the honor of Britain, ought to deplore and endeavor to have changed. I would venture to appeal—it seems rather a mockery to say, to the Government, with only the Under Secretary for India, able representative of the Government as he is, present in the House. It seems also a mockery to appeal to the leaders of the party on this side of the House, none of them being present. I deem it right to say that if the Government are deaf to our appeal, and if they will not so modify the new rule as to enable us to raise questions which we cannot now raise during this debate, I shall take the one opportunity which I have never taken since I have been a member of this House, and shall take care that the question is raised by an amendment to the Address. At any rate, the Government cannot deprive me of that opportunity, as they have twice this session deprived me of the opportunity I had obtained by means of the ballot. While I admire the good-humored and able speech to which we have just listened, I could not help being struck with the marvellous coolness—I suppose I must not say audacity—which characterised some of the statements of the Under Secretary for India. He was good enough to tell us that the only proposal of economy had come from the Government; but he coolly ignored the fact that he and his Government had taken away from me the opportunity I had obtained of submitting to the House proposals which I thought would have tended in that direction. He had the frank audacity to inform the Committee that the Council of India Bill had been hindered on this side of the House, and had only got through with great difficulty, when he knows as well as any other member of the Committee that the

Government never put it down earlier than the ninth order of the day—I think that one night I saw it the 19th—and when he knows it was in the power of the Government to have put it down as the first or second order of any day they pleased, and so have tested the question whether there was any real opposition to it. Surely the hon. gentleman might have acknowledged that on the first appeal made to me by the leader of the House, to the effect that if I kept on the paper a notice of amendment I had to the second reading of the Bill he would be obliged to withdraw it, I at once withdrew the notice, although I regarded the Bill as wretchedly small and exceedingly ineffective, and although I regarded it as being more effective in words than it would be in reality. If I had pressed my amendment on the attention of the Committee, I should have pointed out that any discussion of the Indian Budget with the benches as they are now is utterly impossible. It is impossible to take the sense of the Committee on any proposition which may be submitted to it without a shameful and disgraceful exhibition of the utter neglect by so many members of Parliament of the interests of so many millions of our fellow-subjects. I cannot say I quite followed the right hon. gentleman's first figures. It seems to me that they do not quite agree; but on this point it may be that I did not pay sufficient attention to his corrections, and I shall confine myself more especially to the figures which I have in print, and which at any rate are capable of being more clearly examined. The hon. gentleman complained that he was met by ironical cheers when he referred to the chief increase in the income of India this year as resulting from the Salt Tax; and he went to the length of saying that he was shocked by the statements made by people, who ought to know better, as to the effect of the increase of the Salt Duty on the consumption of salt. Well, he managed to shock me, because, with the almost blind reliance that I have on the accuracy of everything told me by the hon. gentleman, notwithstanding that I have occasionally found that he has been misled by those who instruct him to reply in this House, I had thought that the Blue Book circulated under his authority amongst the members of the House, only within the last few days, has told us expressly that

the consumption of salt had fallen off in consequence of high prices, which prices I proposed to show were the result of the increase of duty. I do not understand why he should be shocked at our entertaining an opinion which the Government of India officially puts to us. The hon. gentleman complains also that we have spoken of the "Famine Insurance Fund". Well, that is how his own Government have spoken of it and have described it. They have now spent the whole of the fund, and do not like to acknowledge that such a fund existed. In a marvellously emphatic tone the hon. gentleman appealed to the Committee, and said: "We have spent the surplus we had; if a larger surplus is wanted for this purpose, do gentlemen on the Opposition side of the House advocate increased taxation, which is the only way of getting a larger surplus?" Our answer is that we have had increased taxation for the purpose of raising a specific sum which you pledged yourselves never to apply to any other purpose; that you have applied it to many other purposes; that you have seldom applied it to the purposes for which it was intended. Before examining the memorandum of the Under Secretary, which was issued later this year than last, I will very briefly draw the attention of the Committee, in view of the fall in silver, to the impolicy of maintaining even the slightest hindrances to the consumption of silver for manufacturing purposes. As was most fully pointed out in a debate on this question in another place about a month ago, the duty of 1s. 6d. per ounce, and the requirement of hall-marking, are practically prohibitive of the importation for trade purposes of Indian manufactured silver articles, and the exportation of English manufactured silver for the Indian market. I appeal specially to the Chancellor of the Exchequer on this question, which is of high importance to India, and vitally affects our silver trade with many foreign countries. I now come to that branch of the speech made by the hon. gentleman, the Under Secretary for India, which has occupied so prominent a position in this evening's debate. I allude to that portion of it which relates to the provision for famine relief and insurance, or, as I prefer to call it, to the Famine Insurance Fund. I ask the Committee to turn to the famine relief and insurance item, on page 50, in the

explanatory memorandum of the Under Secretary. But, in the first place, I desire to say a word or two as to what has been urged by the hon. gentleman with reference to the correction of figures which appear in that memorandum. I would point out that it would have been quite possible for the Government to have taken the discussion on the Indian Budget a week or a fortnight after the Indian Budget statement had been circulated; and had the hon. gentleman taken that course there could not then have been any necessity for the corrections he now makes. The hon. gentleman has taken credit for the fact that the memorandum has been circulated for a period of more than six weeks; but I would point out that it was published later this year than last year, and it might have been criticised at an earlier date, as the financial year ends at the same date in one year as in another. I think that, considering the matter is one which affects the welfare of 275 millions of her Majesty's subjects, the Government ought to recognise it as being one of sufficient importance to be discussed in this House at a period of the year when it can be freely and fairly debated, and nearer to the end of the financial year. It is quite possible that every explanation the hon. gentleman has given has been comprehended by every member of this House except myself; but I certainly do find it difficult to follow a set of figures, as to which the hon. gentleman himself is not quite sure, and which, even in their corrected form, do not commend themselves to us as matters about which there is a possibility of our all being in agreement.

The hon. gentleman has referred to the Famine Insurance Return, which I myself moved for, and which has been laid on the table of this House. He referred to it as a document of which the Government might fairly be proud. Now, sir, I should say that if it were possible to imagine any man holding the position of a minister being capable of shame—and I believe such a phenomenon has never been known in the history of Parliament—I should have thought that that return was a document of which any minister ought to be heartily ashamed; and although I do not put it personally to the hon. gentleman as being any ground for shame on his part, yet I think he might

reasonably feel a sort of vicarious shame in finding that promises which have been so solemnly made, have nevertheless been so deliberately broken, and that a large sum of money collected for a particular purpose, has been just as deliberately misapplied. The hon. gentleman, the Under Secretary for India, referred to the origin of the Famine Relief Fund, but he did so in the vaguest of all fashions. The first reference I will make is to the financial statement for 1878-9, to the financial resolution of the Government of India, dated 18th March, 1878, and to a minute by the Viceroy of India, dated 12th March, 1878, for a detailed explanation of the principles on which it was proposed to make a systematic provision against periodical famines and deaths from starvation. In the Parliamentary Paper, No. 37, dated 1878, page 5, the speech of the Finance Minister in the Legislative Council of the Government of India proposes to raise an additional £1,500,000 a year "on account of famine alone", and he says that this is done because of the "recognition of her Majesty's Government of the duty of making definite provision for the cost of famine". On page 24 of that paper, he further says: "It is the firm intention of the present Government to apply the funds now to be provided for this special purpose strictly to the exclusive objects which they were designed to secure;" and he also goes on to say: "The Government of India intends to keep this million and a-half as insurance against famine alone". Now, there have been twelve years during which that sum of a million and a-half has been collected, making a total of £18,000,000 sterling; and I shall presently show that that money has not been kept, as was promised, and also how little of it has been spent for the purposes it was intended to serve. The hon. gentleman the Under Secretary has told us that it has been religiously disbursed. For my part, I cannot imagine in what sense the hon. gentleman uses that expression; but I can say that it was certainly not honestly disbursed nor truly disbursed. Well, in the same speech the finance minister says: "We consider that the estimates of every year ought to make provision for religiously applying the sum I have mentioned to this sole purpose; and I hope that no desire to carry out any administrative improvement, however urgent, or any

fiscal reform, however wise, will tempt the Government to neglect this sacred trust". They imposed a specific tax of £1,500,000 and promised that it should be devoted to famine, and to famine alone, and hoped that no Government would be able to make away with it. Indeed, the then Viceroy, Lord Lytton, used language so strong that I feel bound to refer to it, and to show that this "sacred trust" was neglected by Lord Lytton himself for the purposes of war; while when the noble lord the member for Paddington, Lord R. Churchill, was Secretary for India, the same "sacred trust" was abandoned for purposes of annexation. As I have said, Lord Lytton, the then Viceroy, used very remarkable language on the 27th December, 1877, which is to be found on page 36 of the paper I am referring to. He anticipated that objectors might say, "Your good intentions are possibly sincere; but the path to the nethermost pit is already paved with good intentions". I do not know whether the hon. gentleman the Under Secretary was thinking of that downward path when he spoke of the money having been religiously disbursed; but Lord Lytton proceeds with what the objectors might say as follows: "Promise is a good dog, but Performance is a better: we have often heard the bow-wow of the first; we have yet to see the tail of the second. We have been told over and over again by the highest authorities that India is to be insured against famine in this way, or in that; but when famines come upon us we find that the promised way is still wanting." Lord Lytton then solemnly declared: "We promise nothing which we have not, after long and serious consideration, provided ourselves with the means of performing. I must have very imperfectly explained myself thus far if I have failed to make it clearly understood that I am not now speaking of what we ought to do, or would do, to insure this country against the worst effects of future famine had we only the means of doing it; but of what we can do, and will do, with the means already provided for, in the measures now before the council." In the debate on the 16th January, 1878, in the Legislative Council, in Parliamentary Paper No. 118, of 1878, page 5, a native member of the Legislative Council, speaking of this famine insurance, suggests: "That it should be formed into a separate fund with

a separate account, so that it may satisfy the people that it is what it in reality is intended to be—a separate famine fund". And, on page 44, Lord Lytton says: "The necessity of a Famine Insurance Fund, and the duty of the Government to provide such a fund, has been generally acknowledged". And yet this session the Under Secretary denies that it ought to be called a fund, and admits that that duty has never been fulfilled. These are not mere empty words, for the hon. gentleman said he did not know whether his trusted Indian Councillors had been dead or alive.

Sir J. Gorst: I did not say that I did not know whether they were dead or alive; but that the hon. gentleman did not ask the question whether they were dead or alive.

Whether we were told that he did not know whether they were dead or alive, or whether the hon. gentleman's own experience of the Indian Council rendered it difficult for him to distinguish if it was a Council composed of living or dead men, is a matter upon which it is not necessary to dilate. At any rate, in order to raise that £1,500,000 it was necessary to levy increased taxes on the natives of India. Well, what does the finance minister say upon this? In 1878-9 the finance minister observed, by way of justifying the increased taxation: "I feel confident that I shall be able to satisfy the Council and the public that the resolution which the Government has proclaimed will be faithfully carried out, and that the proceeds of these new taxes will be expended for the purpose of providing what I have called an insurance against famine, and for no other purpose whatsoever". If words have any meaning at all, Lord Lytton and his finance minister say: "We impose a special tax—a new tax—for the purpose of raising a special sum of money, and pledge the honor of ourselves and our councillors that that money shall never be applied to any other object". If hon. members will refer to the Return moved for by myself, they will see that this promise was never kept, except when Lord Ripon was Viceroy. That I am not stating the case unfairly, may be seen from the minute of the Viceroy, dated 12th March, 1878. The Viceroy then wrote: "The sole justification for the increased taxation which has just been imposed upon the people of India, for

the purpose of ensuring this Empire against the worst calamities of future famine, so far as such an insurance can now be practically provided, is the pledge we have given that a sum not less than a million and a-half sterling, which exceeds the amount of the additional contributions obtained from the people for this purpose, shall be annually applied to it". And here I would ask, how have you applied the £18,000,000; and I repeat that I will show that, except when the Marquess of Ripon was Viceroy, you never applied it to the purpose for which it was intended, and that if you have not got it now it is because you have devoted it, as I have already said, to purposes of war and annexation, and the erection of costly buildings at Simla, and for similar purposes, while the people of India have been starving. The Viceroy's minute goes on to say: "We have explained to the people of this country that the additional revenue raised by the new taxes is required, not for the luxuries but for the necessities of the State, not for general purposes but for the construction of a particular class of public works; and we have pledged ourselves not to spend one rupee of the special resources thus created upon works of a different character". The English language has very little value if this can be so translated from the Ministerial benches as to explain away its plain and direct meaning; and surely in such a case we ought not to be treated with what I must call a miserable farce of arithmetic like that I hold in my hand. But there were people who doubted whether this £1,500,000 would be applied to its intended purpose; and when the British Indian Association later on hinted at the possible breach of faith on the part of the Government, Lord Lytton openly rebuked them in these memorable words:—"You have entirely failed to recognise the fact that the sole purpose of this additional taxation you complain of was the preservation of the lives of the people from the effects of famine. To insinuate the contrary is to insinuate a calumny." After the 11 years' experience we have had, I not only insinuate the contrary, but I say that that which Lord Lytton characterises as a calumny has been proved up to the hilt. I now proceed to complain of, and criticise, the Return. The tax was first imposed in 1878, but the Return commences with 1879-80. Why is the year

1878-9 omitted? Surely £1,500,000 is a sum worthy of being accounted for. Probably the hon. gentleman the Under Secretary will tell us what was the intention of the Indian Government in omitting that year. He might also tell us what was the amount applied in 1878-9 to the prevention of famine, that being a year so close to Lord Lytton's solemn promise. I refer again to the summary of the twelve years contained on page 4 of the Return. There ought to have been £18,000,000 sterling raised by additional taxation for famine relief alone during those twelve years. How is that sum accounted for? It is only alleged that 9,900,737 tens of rupees, or much less than £10,000,000, has been so applied; and I ask what, in that case, has become of the remaining amount of over £8,000,000 sterling? The only years in which Lord Lytton's promises were kept were the years 1881-2, 1882-3, 1883-4, 1884-5, and 1885-6, during which years Lord Ripon was Viceroy. In those years the promise which Lord Ripon did not make was kept; but the promise which Lord Lytton did make has never been kept at all, and since Lord Ripon's time no one appears to have been in a position to keep it. I may here say that I am going to make the Under Secretary and the Secretary of State himself both responsible for what has been going on. Reverting to Lord Lytton's specific declaration that the "sole purpose of the additional taxation" was the "preservation of the lives of the people from the effects of famine", I will ask the Committee to refer to page 2 of the Return. I would remind the Committee of the questions I have felt it my duty to put, sometimes, I fear, in a way that must have been somewhat wearisome to the House, and for which I invariably laid myself open to rebuke; and I would point out that since last October it was certainly known to the Government of India that famine was approaching in Madras and Bengal and was also threatening in Bombay. This was known, so far as a great portion of India was concerned, by the partial failure of the south-west monsoon of 1888, which was due in June and July. The effect of this was aggravated by the almost complete failure of the north-east monsoon which was due in October. The Government must have known that the natural result of these things

without any other cause would have been higher prices for food, great pressure, possible hunger, and even probable famine. Well, what is the estimated provision made by the Government out of the earmarked £1,500,000? It is of no use your saying you have not got it. You have spent it. You took it, and promised to keep it for the purpose of saving life in case of famine. See what a mockery you have made of it! This Return shows that £20,500 was devoted for relief—namely, £500 for charitable relief in Madras, and £20,000 for charitable relief in Bengal. No provision was made by the present Government for the relief works, for want of which hundreds of people certainly, many thousands probably, died of starvation before the works were commenced. I beg pardon; I was wrong in saying the Government made no provision. In 1888-9 they actually wrote off as irrecoverable the sum of £200, which was the amount of debt due from some wretched Madras agriculturalists whose debt had been outstanding from the famine of ten years ago. The general result is that in 11 years real famine relief has been given to the extent of 2,631,750 tens of rupees only; and on page 5 of the statement exhibiting the moral and material progress of India we are told that “no surplus was available as a reserve against famine in future years”. This £18,000,000 has been extracted from the peasantry of India on the solemn promise that it should only be applied for the purpose of making provision against times of famine, and that promise has never at any time been kept. In 1877-8 the Government found itself unable to make provision against famine, but at least it did something for the prevention of starvation. I trust I shall not shock the Under Secretary in what I am about to state. I know that his feelings are generally shocked, especially by any statement made from this side of the House with regard to legal questions, which may be accounted for by the fact that the hon. gentleman has been sitting for so many years on the same bench with the law officers of the Crown. Now, what did the Government do? On the 19th January, 1888, they actually raised the salt duty 25 per cent.—viz., from two rupees per maund of 82 lbs. to 2½ rupees per maund; and the Government themselves in their own statement, say that the effect of this was to reduce

the consumption of salt. Less salt means less food, and the official declaration is that in 1888 the consumption of salt fell off markedly in the district of Ganjam. Page 75 of the statement—and a very explicit statement it is—shows that the consumption of salt in Ganjam fell from 12·31 lbs. per head to 8·27 lbs. per head, owing, as the Government say, partly to high prices, or, as I say, almost wholly to the high prices resulting from the increased duty. No wonder there have been famine and starvation in Ganjam. If I possessed the cool freedom of speech which characterises the hon. gentleman the Under Secretary of State for India when attacking members on this side of the House, I should be inclined to use exceedingly hard words against a Government, which takes credit for its high officials, going into a district where it had been pointed out that famine existed, and where, having previously extorted some Rx. 1,800,000 to make provision for such contingency, they must have known that it was going on eight or nine months before (for it had been pointed out in this House).

It is one of the misfortunes of only one debate in the year taking place on the finances of India, that a member is obliged to be exceedingly wearisome in the length of the matter he addresses to the House. But I must ask the Committee to note on page 4 of the explanatory memorandum, a most extraordinary difference between gross and net revenue and expenditure—the gross being swollen by matters of account, and clearly in some instances creating a false impression. For example, railway receipts go to make up gross totals. From page 12 it will be seen that in three years 1887-90, railways impose a burden upon the taxpayers of Rx. 7,502,780, though the hon. baronet, the member for Hythe (Sir E. Watkin), urges the Government to spend £100,000,000 on more railways. In the official statement, page 14, it is admitted that "Though the dividend on the total railway capital is apparently more than 5 per cent, and though the Government is not liable for more than 5 per cent on any guaranteed capital, or for more than per cent on State Railway capital; still the Indian Treasury lost on its current railway transactions Rx. 2,267,800 in 1887-8, and estimated to lose Rx. 2,115,000 in 1888-9". The actual

loss turned out to be more than half a million of rupees larger than the estimated loss. I am sure the Under Secretary did not purposely omit it, but I should have liked an explanation of the fact that the actual loss was more than half a-million of rupees greater than the estimate.

Sir E. Watkin : The hon. member has referred to me. I should like to ask whether he is not aware that it has been proved that the advantage to the people of India is greater than the total value of the railways ?

The hon. member will have an opportunity of following me. I do not see how his interruption is to the point. There is one matter as to which the hon. gentleman the Under Secretary has told us nothing in his explanatory Memorandum, and I am rather surprised that he has not, because it is a matter upon which I have felt it my duty to ask him several questions already. He has not in the Memorandum under the head of " Railways " given any information as to the change of policy with reference to the projected railway to Chittagong, as to which a concession of 3,000 square miles of waste land with the right to prospect for coal and petroleum has either been actually granted, or is under consideration. If this be a wise policy there is no necessity for concealment, nor ought members of this House to be driven to obtain information from private sources. I do not suggest that such a concession would be bad or good, but the House is entitled to know what are the views of the Department and of the Viceroy. What is the reason of this entire change of policy ? on what conditions are these rights of prospecting to be conceded ? The hon. gentleman, in reply to a question the other day, said that if all railway enterprise was to wait until Parliament had expressed an opinion there would be no railways in India at all. I admired the cleverness and ingenuity of the reply, but unless the Secretary of State is the master of Parliament as well as of India, it was his duty in making his annual statement to tell us if such a change of policy has been made or is contemplated, to give the House information on this point so as to enable the House to form a judgment upon it. Referring to irrigation works on page 13, I wish to ask as to table 2, which in col. 1 states the total cost to 1886-7 as Rx. 23,770,346, from

what date the commencement of cost is taken? And whether the two tables mean that a total expenditure to the present date of Rx. 25,332,935 shows an estimated loss for the year of Rx. 725,400; and whether, as a higher loss still is shown in the two other years given, he will date the deficit for the preceding years? I also ask the Under Secretary, as he states the total capital outlay to date on the irrigation works, first, to state the total deficit of all the years covered by the capital outlay. I ask whether the Rx. 629,400 mentioned in col. 3, table 1, page 13, is the portion of the Land Revenue from new works only, or does it include receipts from old works? And I ask whether, to give the Committee an opportunity of comparing, he can state the amount credited to Land Revenue from irrigation in 1858? Further, I would ask him if he will state the net addition to the food production of the Empire which has accrued from the total expenditure of £25,000,000? In the statement of assets and liabilities on page 20 I would ask are the railway and irrigation works set down at their full cost? Is any allowance made for depreciation? Is any Sinking Fund provided? Referring to page 10, on Burma, I would ask the Committee to note that while the cost of annexation was originally estimated in November, 1885, at some £270,000, it has already cost some £8,000,000, and it is impossible to limit the further expenditure required to carry out what the Under Secretary of State has called the pacification of the country. I note that in relation to the Burma Ruby Mines Parliament has never had submitted to it the particulars, with the names and amounts of the various tenders. I would ask the Under Secretary to state the cost of, and incidental to, the sending out of Mr. Barrington Browne as Government expert; what kind of valuation he made; and the general nature of his Report; and how many higher tenders—and to what amount—were received than the one accepted, with the names of the persons tendering.

Sir J. Gorst: I can answer that at once; there were none.

I should like to know whether the hon. gentleman attaches any subtle meaning to the word "tender," and whether there are not offers in writing within the knowledge of the Viceroy of India?

Sir J. Gorst: The tender for the Burma Ruby Mines was settled in this country by public advertisement in the newspapers. Tenders were received at the India Office, and they were opened in my presence. I can vouch for the fact that those tenders were received.

I cannot think that I and the hon. gentleman mean the same thing in the words we are using. I should be glad, however, if the hon. gentleman would oblige the committee with the names and particulars of the various tenders, together with the replies, so that the committee may be enabled to form a judgment as to the higher or lower tenders. Will the hon. gentleman tell the committee why it is stated here—

Sir John Gorst: In what statement?

In your own book [*holding it up*] on page 17 of the Government statement dealing with the moral and material progress of India—that a lease of the Burma Ruby Mines was granted to a British company in 1887-8, when the hon. member more than once in the most express terms has stated in the House that no such lease has been granted? The company is to pay a rental of £40,000 a year and one-sixth of the profits, and I should like to know why it is that in the estimated receipts for 1888-9 and 1890, there is no sum whatever even entered in the Estimates as likely to be received? If the hon. member tells me that this statement as to the rental to be paid is not true, I will not press him further, but he must not wonder if I am a little shocked—electrified—in dealing with such matters.

And now, I have only to apologise to the Committee for the length of my remarks. I hope, however, that what I have said will show that there is some need for effective financial control in India, and that if it be possible—as I believe it to be—to exercise that effective financial control in this House, even supposing more than one day in the year is devoted to the work, something will be done to enlarge the legislative councils in the various provinces and to increase their powers, so that they may have a better opportunity of interpellating in relation to these matters of finance. I would assure the hon. gentleman, the Under Secretary of State, that it is not our desire to destroy provincial activity in India.

On the contrary, we desire to enlarge and develop it. I should like to see the Government carry out their promises in this respect. I should like, to use the words of Lord Lytton, "having heard their bow-wow of promise, to see at least the tail of the performance". We hope that there may be enlarged Councils strengthened by a Committee of this House, or a Joint Standing Committee of both Houses, to which may be addressed questions on which it is necessary that some expression of opinion should be obtained as to the advisability of bringing matters in dispute before Parliament. Although, in the present scanty House, it seems a mockery to do so, I would venture to appeal to hon. members, and, if necessary, I will go from this House to Parliament, and from Parliament to the people—that some opportunity of bringing forward their grievances may be given to those who are connected with the movement for reform in India. I agree that they are only a small body, but small as they are, they are sufficiently important to have some attention paid to them. There assembled at Allahabad some 1,200 delegates, representing some three millions of people, and I appeal to the English people for reasonable attention to the wants of India, especially as its grievances are now finding constitutional expression in the great Congress movement, of which Lord Dufferin said that he regarded with feelings "of approval and goodwill their natural ambition to be more extensively associated with their English rulers in the administration of their own domestic affairs". From the report of that Congress, it is evident that the natives are inspired with a laudable ambition to be more closely associated with their English rulers in the administration of their own affairs.

It is, of course, impossible to hope that within these walls any criticism or complaint made under existing circumstances will have any very great effect, but I do hope that the protest now made and concurred in, as it seemed to me at the beginning of the speech with which I have troubled the Committee, by members sitting on the Conservative benches—that the protest now made against the late period of the session at which this subject is brought forward will not be without effect. The House is wearied with the labors of a long

session, and the bulk of the members have gone away. I do not make this protest from party motives, as I acknowledge that the party with whom I vote are as amenable to every kind of blame in the matter as the party opposite. The right hon. gentleman, the Chancellor of the Exchequer, is now in his place, and I appeal to him, during the Recess, to give effect to words which I hope I have not wrongly understood—and I am only dealing with words uttered across the floor of this House—which have come from the Leader of the House, that it is only due to the vast mass of our Indian fellow-subjects that at some time they may be able to approach this House in a constitutional way, with the Speaker in the Chair, and not be driven to bring forward their grievances at a time when a question of finance is under discussion, and they are not susceptible of radical and effective debate.



INDIAN NATIONAL CONGRESS.

Bombay, December 29th, 1889.

Friends, fellow-subjects, and fellow-citizens — (cheers) — I address you as friends, for the greeting you have given me entitles me to use the same language to you that I would to those at home. (Loud cheers.) You have made me feel since I have been here that home has a wider significance than I have yet given it, for I have learned that if I have only a little home I have one, too—a larger one, in your sympathies, in your affections, and—I trust to deserve it by future work—in your love. (Loud cheers.) I address you as fellow-subjects, for we are here loyal to one rule with the best of loyalty. (Renewed cheers.) That is no real loyalty which is only blind submission. (Hear, hear, and cheers.) Real loyalty means that the governed help the governors by leaving little for the Government to do. (Renewed cheers.) And I feel proud to be fellow-subject with you, in the hope that the phrase fellow-citizen may grow into reality even before my life is ended. (Cheers.)

I pray your indulgence to-night, for this is the first speech I have made since I looked into the blackness of the grave; and I am not sure how far I may trust my tongue to be the interpreter of what I would wish to say; but of one thing I am sure, that you have over-rated alike my work and my ability. (Cries of "No, no".) I pray you be as indulgent to me as you have been generous. And if you disagree with what I say, let me say it in my own poor fashion, that you may find at least my meaning clear to you. I am here only a visitor by your courtesy, a member of a great assembly, the mother of Parliaments, within the walls of which I am one of the poorest members, and to its generous audience is due any praise that I may have had in

advocating the cause of those to whom I belong—and when I say to whom I belong, I was sorry to hear that I was thanked for my work in a popular cause. But for whom should I work if not for the people? (Loud and prolonged cheers.) Born of the people, trusted by the people, I hope to die of the people. (Renewed cheering.) And I know no geographic or race limitations to this word “people”. If the nationality—pardon the word—to which I am proud to belong, has raised its empire here, the rule carries with it the duty on the part of every citizen to recognise that which I recognise in you, a loyal constitutional association for the assertion of your just claims, and for the amelioration of your homes and the advancement of your industries. (Cheers.)

And I will ask you not to expect too much. One man is only a water drop in the ocean of human life. You are the breeze driving the water drop on to the western side of the seas, and by your encouragement adding others to it and giving it a force that shall wash away the old rock of prejudices that has hindered progress. I have noted with pride the speeches here, which show that you share our language, our traditions and hopes, and are willing to work with us to make our triumph peaceful. (Cheers.) Do not expect too much, and do not expect all at once. (Hear, hear.) Grand as this assembly is, mighty in its suggestiveness, by its delegates travelling hundreds, thousands of miles, you are yet only the water drop of the nearly two hundred and ten millions whom you number under our empire—yours and mine, not mine against yours, not English against Indian, but a common empire to be maintained for common interests. (Loud cheers.) Do not be disappointed if of the largest claims only something is conceded. If not just now, it shall be on a day that is to come. Just now you have those to stand in the House of Commons and plead for you—not me alone. There are members as devoted to you as I can possibly be; and I hope soon to see added to those ranks one speaking with that authority, that knowledge, which his long residence in India has given him. I mean your President, Sir William Wedderburn. (Cheers.)

I would remind you, as encouraging you to patience—(hear, hear)—that in England great reforms have always been slowly won. Those who introduced them first have been called seditious, sometimes sent to gaol as criminals. (Cries of "Shame!") But no imprisonment can crush the truth. It may hinder it for the moment; it may delay it for the hour; but the oppressed opinion acquires electric force inside the dungeon cell, and moves to the front again when the prisoner comes out. (Cheers.)

Your presence here to-day confutes and answers by anticipation one sneer that I have heard spoken within the walls of Parliament itself. It is said there is no Indian nation, and that there can be no Indian National Congress. It is declared that there is no Indian people. There are over two hundred millions of diverse races and diverse creeds. But the lesson I read here is that this Congress movement is an educational movement acting as a hammer upon the anvil of millions of human brains, until it welds into one common whole men in whom the consciousness of the need for political and social reforms, and the desire to effect such reforms, are higher than all distinctions of race and creed. (Loud cheers.)

It will be my duty, as it is my right, to present to Parliament directly I get back, on the very first day of its opening, the claim you make to have a Bill considered. (Cheers.) On the second day the Bill will be introduced. For so much I can answer; I can answer for nothing more. (Laughter and cheers.) I think it possible that the Government may introduce some Bill themselves. If they do it will take precedence of, but it will not evade, the one you have charged me with; because on the Government Bill in committee I can take the decision of Parliament on every one of the propositions you desire, just as upon the Bill with which you have charged me. It is not easy work; and I have been glad to see that you can meet and discuss differences as you have done. It shows that men who can give lessons to one another, express diversity of views with one another, can be trusted with the right of electing and being elected to make the laws they can so discuss. (Loud cheers.) Then you may take it that, either on your own Bill or on the Government

Bill, the decision of the House of Commons will be taken on your proposals; and you can help that decision, for you have the constitutional right, not of going into the House and being heard yourselves, but of sending your petitions there—(cheers)—from every town, from every division—from far-off Sind and from every part. And I would ask you, if you really want to make me your mouthpiece in that House, to send signatures to petitions which you understand, by the thousand, by the hundreds of thousands, by the million if you can, so that India's people may kneel—and there is no shame in kneeling—on the threshold where the mother of Parliaments sits, and ask that she may do justice to those 6,000, 7,000, 8,000 miles away, in the same way that she has done such justice to those who can assemble with a living voice within hearing of her own walls. (Cheers.)

You will permit me to say, although I am only a guest, that we are here not in a seditious movement; we are not seeking—though if we did there would be no crime in the high endeavor—to transplant the democratic institutions of England to this land. We are only seeking, in the hill which is hard to climb, to carve steps in which the strongest may stand, and there giving support, may help their weaker brothers to higher positions. (Cheers.) It is said there are many who stand aloof from this movement. But on looking at you my wonder is that in its infancy so many have joined it. (Laughter and cheers.) It is said that there are influential men of this party and of that who have not yet come in; but the sun's rays grow as the sun rises. (Cheers.) You are the dawn; I see the day, and do not count the rays which are yet below the horizon. I count the gilding of the clouds I see, from the rays I do not yet see. (Cheers.)

I feel I should like to have the title which some have given me in sneer and some in hearty meaning, of "the Member for India". (Cheers.) But men whose measure I cannot hope to cope with have partly held that title; and I am not to hold it simply by great efforts on great occasions, but by small doings wherever there is injustice to be redressed. (Cheers.) I know how little it is one man can do; and little though one man can

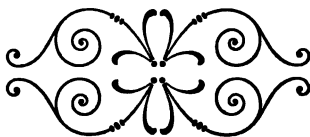
do, I will tell you what he can do. When after rain and storm the waters have gathered in some huge store, one man may make the little boring through which the water begins to percolate that, as it grows in stream, washes all away. I will try and be that man, leaving greater ones than I can ever be to swim on the tide when the water flows in fulness. (Cheers.) I am here because I believe you loyal to the law—(cheers)—which I am bound to support. (Cheers.) I am here because I believe you wish—as we in England have—to win, within the limits of the constitution, the most perfect equality and right for all. (Cheers.)

I have no right to offer advice to you, but if I had, and if I dared, I would say to you men from lands almost as separate, although within your own continent, as England is from you—I would say to you men with race traditions, caste views and religious differences—that in an empire like ours what we should seek and have is equality before the law for all—(cheers)—equality of opportunity for all, equality of expression for all—penalty on none, favoritism for none. And I believe that in this great Congress I see the germs of that which may be as fruitful for good as the most fruitful tree that grows under your sun. (Cheers.) I am glad to see that you have women amongst you—(cheers)—although they are few, for they are your mothers and teach your children; glad to see that in your land you are ready to learn, as we in Britain have learned, that wives may counsel their husbands; and that great thoughts and great endeavors are not made less because the man goes to the woman for counsel in the hour of need and makes the woman stronger. (Cheers.)

I fear I have already spoken to you too long. (Cries of “No, no”.) If not for you at any rate for myself. (Laughter.) I beg you—many of you here the most eloquent whom I have heard—I beg you put into your own words and into your own thoughts what you would have me say at home for you and let that there be said. (Cheers.) One thing be sure of—I will only advocate the right. (Cheers.) I must judge the right I advocate, and I may not always judge it as you do; but as long as you let me speak for you, I will only

speak that which seems to me to be right and true. (Cheers.) In this movement let there be no force save the force of brain, no secret union—let all be open, frank, and before the law. Then if mischief touch you, so far as one man may and so far as one man's speech can, English liberty shall put itself on the side of yours. (Cheers.) This is the first and it may be the last speech I may ever make to you—(cries of "No, no.")—but, when I am speaking on the other side within the walls of our Parliament house, let me beg you to think, and let me think, that you are listening, and that if I do rightly you will be generous with me in your judgment, and that even if I do not always plead with the voice that you would speak, you will believe that I have done my best. And I mean my best to be the greater happiness for India's people, greater peace for Britain's rule, and greater comfort for the whole of Britain's subjects. (Loud and prolonged cheering.)

Mr. Bradlaugh then withdrew amid continued cheering, and the meeting afterwards dispersed.



THE MAHARAJA OF KASHMIR.

House of Commons, July 3rd, 1890.

I am obliged to move the adjournment of the House, because it is the only possible way in which any appeal for the Maharaja of Kashmir can be submitted to Parliament. The Government of India have deprived this chief of his authority and of his property under cover of allegations which are emphatically denied by the Maharaja himself. The Maharaja, as I shall show, has applied for a trial in India. That has been denied him. The Secretary of State here has been asked to sanction an enquiry, and has refused; the leader of the House has been asked to appoint a Select Committee of enquiry, and has also refused; so that neither judicial nor Parliamentary nor Governmental enquiry is being allowed, although this gentleman has been subjected to penalties which in the case of the meanest person in this country would entitle him to have the accusations brought before some tribunal and witnesses against him heard. There is no other manner of bringing this matter before the House than by moving the adjournment. Though I can understand that hon. gentlemen opposite may think it unfair that the adjournment should be moved, they must remember that on Indian matters I have always shown the greatest consideration to the Government; so much so that at the beginning of this Session I did not avail myself, as I might have done, of my right to move an amendment to the Address, and I only now make a motion for the adjournment because there are no Estimates in Supply in which, as in any other case affecting any other portion of her Majesty's dominions, a question of grievance may be raised. It is either in the manner I am raising it to-night that this grievance must be submitted, or not at all.

Now on May 14th of last year—that is more than twelve months ago—the Maharaja himself asked the Government of India for a fair trial. I will read to the House presently the touching words in which that appeal for a fair trial was made. From then till now, except in a despatch from which it will be my duty to quote, no kind of answer has been made to that appeal, and the Maharaja has been condemned unheard. I should have pressed this claim for enquiry twelve months ago, but there were then no papers before the House. It would have been open for the Government to say, in the fashion in which rumor has said, that this unfortunate gentleman has been guilty of crime or was suffering the consequences of vice, because these suggestions could be found embodied in official despatches to which I shall refer, and that there was, therefore, a lack of duty in bringing the matter before the House until the Government had put before it the statements on which they rely.

Although this unfortunate gentleman was deprived of his authority and his property at the beginning of last year, the presentation of papers has been delayed until last week. They have been repeatedly pressed for by myself and other members. Until the Government had put their case on the table, any one else would have been at a great disadvantage in submitting to this House any matter for its decision.

I do not propose to ask the House, in the division I shall challenge, to express any other opinion of the facts I shall submit than that when such a penalty is enforced against a prince with whom we have a treaty—who has recently been regarded as being in the position of a feudatory prince—the man so dealt with is entitled to that which any other subject of her Majesty, if he be a subject of her Majesty, is entitled to, viz., a fair trial before condemnation. The Under Secretary must not shelter himself under considerations of State. If considerations of State can justify the Government of India in depriving one man of his authority and property unheard, there is no protection for any one, be he prince or peasant, throughout the whole of our Asiatic dominions.

The other day the question was stated as simply as possible in the language of the right hon. gentleman the Under Secretary

for India (Sir J. Gorst), in answer to a question put by myself. The right hon. gentleman said, "The action of the Government in Kashmir had been based, not upon grave personal charges made against the Maharaja". I would ask the House to remember that, because this man's character has been rumored away and lied away with the help of forged letters during the last year and a-half—forged letters used as instruments of political warfare—letters, the authenticity of which has been denied by the Maharaja, letters which have never been produced in his presence, and which yet the Government have the face to refer to in their worst fashion in one of the despatches I shall read to the House.

I shall be relieved from any question as to the personal conduct of the Maharaja. He may be good or bad. I do not care what he is—he is entitled to justice. If he has been criminal let him be condemned and punished, but do not rob him under cover of a criminality which you dare not bring in evidence against him, and as to which you will allow no enquiry either in India or here. The right hon. gentleman the Under Secretary said the action of the Government was based upon the long-continued misgovernment of Kashmir. Well, this unfortunate gentleman has only been the ruler of Kashmir for about five years, and I will quote the testimony of the Government itself that, to within a few months of the time he was dispossessed, misgovernment did not exist as far as it was in his power to help it. I cannot conceive—I should not be justified in saying before you, sir, anything more impudent—but I can conceive nothing more cool than the audacity of the confidence that this House would be imposed upon by the statement of the right hon. gentleman, the Under Secretary, that there had been long-continued misgovernment in Kashmir such as justified the dethronement of this man. Vague statements there are here, but not one statement of fact. Misgovernment must be made up of something. You may shadow a man, put him unjustly in prison, or take away his property. None of these things are alleged against this unfortunate gentleman. Well, the right hon. gentleman went on to say that the Government of India have never attached any importance to certain treasonable and

criminal correspondence attributed to the Maharaja. It would have been as well not to have so described the character of the correspondence if no importance was attached to it. Why suggest that it was criminal and treasonable if it was not true, as it was not, that he was responsible for it? I do not suggest that the right hon. gentleman has made an inaccurate statement, but I do say he has been ignorant of the facts.

I will read the evidence given by the Viceroy himself with regard to this correspondence which the right hon. gentleman dare not lay before this House, which he dare not put in print, but on which the emissaries of the Government have lied away the Maharaja's character during the last year and a half. I will dispose of this point at once because, fortunately, we have the papers on the Table and are able to deal with them. So far from its being true that the Government have never attached the smallest importance to the correspondence, the Viceroy himself says the Government were justified "not merely by the disclosure of these letters"—so that they consider themselves in part justified by them—[Sir J. Gorst indicated dissent.] The right hon. gentleman shakes his head. It is the Viceroy's head that should be shaken here. I admit that the right hon. gentleman dare not rely on the letters. I admit the right hon. gentleman has too much good sense to use in justification of the position assumed by the Government letters which the man himself declares to be forgeries, and which the Government have never dared to produce to his face. But in a long despatch, dated "Simla, June 26th, 1889", I say the Viceroy did say these letters were amongst the things on which the Government acted in condemning this unfortunate gentleman.

What did the Maharaja himself say about these letters? In a letter, which unfortunately time will not permit me to read fully to the House, he made a plea for justice, first to the Government of India, and then through the Government to the English Parliament. He said: "these letters are nothing but most daring forgeries"; and he suggests that one of the forgers, if not the only forger, is his brother, whom the Government of India has placed in the position of authority of which

they have deprived this unfortunate gentleman himself. My allegation will be that it was on those letters—for the papers disclose nothing else, and further negative everything else—that this action of the Government was based. (Sir J. Gorst again expressed dissent.) The right hon. gentleman shakes his head, but I have read the papers, which he evidently has not done himself, and I shall read extracts to the House to show that I am within the mark in every statement of this kind I make. Why did the Government of India, twelve months ago, say they did not merely act on these letters? What did that phrase mean if they did not act on them at all? Have the Government since discovered they are forgeries? If so, as they are part of the case on which misgovernment and criminality are alleged against this unfortunate gentleman, the whole story of it does now fall to the ground, at any rate rests on other matters, with reference to which this man demands to be put on his trial, and as to which no evidence has been offered.

Lord Cross, speaking last year at Sheffield, used words a little stronger than, and, if I may be allowed to say so, not quite so skilful as the euphemistic language of the First Lord to-night, and of the right hon. gentleman the Under Secretary last week. He said, "we did interfere in the matter of the Kashmir, and why? Because the people of Kashmir were so ground down by the tyranny and mis-government of the Maharaja that we were bound as the paramount power to interfere for the protection of the interests of the inhabitants." Where in these papers is there one instance of this grinding down? If you want to steal Kashmir, as unfortunately we have stolen State after State in India and other parts of the world, then say so at once, and at least have the merit of honest thieves; don't be hypocritical, by saying you set up self-government where self-government has no real existence.

What is the position of Kashmir towards this country? Fortunately the history is not long, so far as it affects this unfortunate man, and I will deal with it as briefly as it is possible to do. The history of Kashmir, for the purpose of to-night's discussion, began with the Treaty of 1846, with the

grandfather of the gentleman whose cause I am pleading. Then for a considerable money payment, recorded in the third section of the Treaty, the British Government transferred and made over for ever, in independent possession, to Maharaja Golab Singh and the heirs male of his body, the territory which includes Kashmir and Jummoo. This is not a case of an ordinary feudatory State. So little is it regarded as a feudatory State, that in the statistical abstract of this very year, you have the evidence of its non-inclusion up to 1881 amongst the feudatory States, and there was never anything to suggest that we had a right or duty to send a Resident there until 1885, on the death of the father of the present Maharaja.

I won't trouble the House with what passed until a few days before the commencement of the reign of the present chief. The Maharaja Golab Singh, with whom the Treaty of the 16th of March, 1846, was made, was succeeded by his son about the time of the Indian Mutiny; and Lord Canning, in an official document, gave Maharaja Rumbir Singh, who had succeeded Golab Singh, in 1857, the *Sanad* of adoption, which provided that in case of failure of issue he and his successors would be competent to adopt an heir and thus perpetuate the line. This was given on the ground of the great service rendered by the Maharaja during the Mutiny. The Maharaja Rumbir Singh was ill in 1884, and I am afraid that some fourteen or fifteen years ago, when Jingoism was specially paramount in the making of great military frontiers and things of that kind, we looked with longing eyes upon the property of others, and were disposed to ignore any sense of justice in our dealings with them. It was then said that Rumbir Singh had misgoverned his country. If he had, it was a matter with which, except as being by treaty the paramount power, in which case we might have made remonstrance, we had nothing whatever to do. But, as a matter of fact, we made no remonstrance to him. The Under Secretary of State dissents. Then why is it not in the papers? The papers began in 1884 with a despatch relating to the alleged misgovernment during the time of the present Maharaja's father. The words of the despatch preclude the possibility of remonstrance having been made.

But what happens is that while the Maharaja was dying, the Viceroy of India, looking to the matter, as he says, with a view to his troublesome neighbors on the north-west frontier, suggested certain reforms which on the accession of the son of the then dying man it would be well should be carried out; and I will read to the House in the words of Lord Dufferin himself the admission that many of these reforms had been carried out during the short period that this gentleman sat on the throne. In 1885 the succession of Prapat Singh was formally recognised by the Government. He came to the throne under the treaty which I have read to the House. One new departure there was against which the Maharaja protested, namely, the establishment of a Residency, instead of Kashmir being an independent possession, which under the treaty it was, subject to the supremacy of the Empress Queen. After the appointment of a Resident, it is a monstrously unfair thing to spring a mine four or five years afterwards, and allege as an excuse for confiscating property and power that there had been misgovernment where, if there had been misgovernment, it should have been reported day by day, week by week, month by month, and year by year. There are no such reports. If the Secretary of State has got them he ought to have printed them.

I am not asking the House to say that this unfortunate man is guiltless, but I am asking them to say that he is entitled to be tried, and to have an enquiry before he is deprived of his rights. In 1889 the Government deprived this gentleman of his chieftainship. By what right? By no right save the right of force. By what law? By no law save the law of force. Upon what charges? Upon charges of the vaguest description. It is clear these papers are delusive papers. There must have been reports made to the Viceroy, which reports ought to be in the hands of the House. If it is said that they are of a confidential character; if it is said they cannot be produced, at any rate the witnesses who can prove the occasions of misgovernment ought to be produced in some court. Is it because this man is rich; is it because his property is in a place where you want to have possession because of frontier considerations, that he is to be deprived of the

right which you admit to the meanest person accused within this country, or within the Asiatic dominions of the Empress Queen? It is a monstrous thing, and I ask the House to look at it without consideration of party; because you must remember it is not a question only of this man, but of every feudatory prince whose property you may want to take and merge in our dominions. The papers have not been put on the table in a hurry. They have been in the skilled hands of the Under Secretary. We all know how frank the Under Secretary can be if he tries, and I ask him to tell the House how many papers relating to these important despatches between the Government of India and the Secretary of State have been kept back, and why? It is clear some have—the language shows it. Why are any kept back? They have been kept back because the action of the Government cannot be defended. I do not know what the charges are against the Maharaja, and I am only asking that this Parliament shall say that the Government of India, however powerful, and whatever the State considerations are, has no right to rob this man.

On the 14th of September, 1885, the Viceroy sent a despatch to which I must allude for a moment. It was sent just on the accession of the present Maharaja to the throne, and I allege to the House it makes a clear bill up to the time, so far as any charges of misgovernment entitled our Government to interfere. The Viceroy says: "I trust that your highness's life may be long and prosperous; and that, in all difficulties of whatsoever kind, you will rely with confidence upon the goodwill of the British Government, which will never fail you so long as you are loyal to the Crown, and earnest in the desire to rule your State with justice and moderation. Your Highness has before you a difficult task. During the illness of your father the administration of the State became seriously disorganised, and it will be necessary for you to introduce many reforms." I will show you that three years after Lord Dufferin's time reforms had been carried out, and that misgovernment is a pretext for stealing the man's property. The Maharaja wrote in reply protesting against the Residency being placed upon him. He said: "I do not hesitate to admit that the existing

state of affairs in Kashmir and Jammu urgently requires immediate introduction of substantial reforms into the administration of the country, and now that I have power commensurate with my responsibilities, I beg to answer your Excellency that nothing shall be spared on my part, and no time will be lost to prove beyond any possibility of doubt that it is my ambition to succeed in making my country a model of a well-governed State in alliance with the Government of India."

Having got the Resident at the capital, what do we find? We find that the Resident wants to get rid of the Maharaja; he submits some report to the Government, the particulars of which we do not know, and a report, the particulars of which we do know, dated March 5th, 1888. Let me point out in the first place that in the despatch of the 5th of March, 1888, there is nothing to justify any of the words of Lord Cross at Sheffield, or the words of the Under Secretary of State last week, as to misgovernment, or the words of the First Lord of the Treasury to-night. Now, what was the decision that the Government of India came to in August, 1888? It was that the condition of the State did not seem to demand such action as Mr. Plowden had suggested, and that the Government had therefore determined not to resort to measures which would have the effect directly or indirectly of taking the power out of the Maharaja's hands. Yet no less than seven months after that despatch power was taken out of his hands, and taken out solely on these letters. Solely, perhaps, is a strong word to use; but it was immediately after coming into possession of these letters, which suggested the worst of crimes—letters which the Maharaja has always denied, and as to which he is certainly entitled to be heard before a Select Committee of this House or before the Viceroy himself. He had confidence in the British Government, but he had no confidence in the officials who, he said, misrepresented him. The decision that there should be no interference with the Maharaja, directly or indirectly, disposes of Mr. Plowden's report of the 8th of March, 1888.

I come now to April, 1889, when we had some further action. I will first mention that on the 25th of July, 1888, Lord Dufferin wrote: "I do not overlook the fact that since the appointment

of the Council of which Diwan Lachman Dass was a member, considerable progress has been made in the direction of reform; useful work has been done with regard to the revenue administration, and in the reorganisation of the Public Works and Medical Department. But much remains to be done." This is not the language of condemnation of chronic misgovernment and the grinding down of the people. Misgovernment is only on invention—an excuse for having dispossessed this man, and I think I have a right to quote the evidence given by Lord Dufferin in 1888. This unfortunate prince, hampered by the Resident who dictated the policy he should pursue, did make such reforms as entitled him to the praise of Lord Dufferin—a statesman of the greatest eminence, of the keenest judgment, and a man who cannot be charged with being at all partial to the class of man I am defending here this afternoon.

Now I come to these forged letters. There is a batch of thirty-four, and the Maharaja says that they are all forgeries. I do not ask you to say whether they are or are not, but I say that if they are used against him he is entitled to go into court and cross-examine the witnesses against him. Other letters on which the Government have relied have been abandoned as forgeries within the memory of many of us in this House. What is the character of these letters as described by the Resident? The character of them is that the Maharaja offered large sums of money to certain individuals on condition that they would murder, or cause to be removed, Mr. Plowden, the late Resident. It is alleged that these letters showed treasonable correspondence with the enemies of England. All these things are denied by the Maharaja. I do not ask you to say whether the Maharaja is right or wrong, but I say that when letters alleging murder are produced against a prince with whom we have a treaty of alliance, immediately after which we take away his property, the commonest and the merest justice demands that he should have an opportunity of being heard before a Select Committee of this House, or some tribunal competent to deal with his offence, if offence he has committed. The Government are not going to stand by these letters to-night, but the Viceroy has stood by them, and I will read you words in which they are so

stood by. The Viceroy said "In the spring of this year"—that is last year—"my attention was called to the documents referred to in your Highness's letter. Many of these had every appearance of being genuine, and they have moreover a striking resemblance to those other papers of which I have already spoken, and which came into the possession of the Government of India at a previous time." "Your Highness is correct in expressing your belief that the action subsequently taken by my Government was not justified merely by the disclosures contained in these letters." Where is the report upon which they acted? The man had a right to be tried. The letters are vague statements. The Viceroy goes on: "Notwithstanding the ample resources of your State, your treasury was empty". Well, if you are going to dethrone every Prince whose treasury becomes empty, I do not know how far you are prepared to carry your policy. Does the Government really mean that? If that be so, how is it they took from this man the advance or deposit or loan of a large sum of money, amounting to twenty-five lakhs of rupees? They had this in their hands when the treasury was empty. Why did they take money for Lady Dufferin's admirable fund? Why, if the treasury was empty, did they not reckon the millions of rupees for railway works in the interest of frontier defence? Treasury empty! Why, you and your Resident helped to empty it, and then you tell this unfortunate man it is a reason why he should be dethroned!

Sir J. Gorst: Will the hon. gentleman finish the sentence?

Mr. Bradlaugh: You put on the table what you please, and I have to make the best I can with the House half empty, because every member feels the difficulty when the motion for adjournment is moved. I have, with such knowledge as is supplied, to make what case I can with this far off matter.

Sir J. Gorst: I only interrupted the hon. gentleman to point out that he had not read the sentence to the end, and I thought to put the case fairly it should be given to the end.

Mr. Bradlaugh: I will read it to the end and show that the right hon. gentleman gains nothing by making me read it. "Notwithstanding the ample resources of your State, your treasury was empty; corruption and disorder prevailed in every department

and every office; your Highness was still surrounded by low and unworthy favorites; and the continued misgovernment of your State was becoming every day a more serious source of anxiety." Well, there is not a word affecting finance there. I was going to deal with each allegation in turn. "Low and unworthy favorites!" Every prince has these even in his own household; every Oriental prince has such. The whole history of our transactions with native princes shows that when we have hankered to take their money, their land, their position, we have used vices which appeared at the time to suit our purposes and help us to gain our ends. I do not know what the right hon. gentleman means by inviting me to read to the end, as if I had omitted some allusion to the empty treasury. Why, the Indian Government had then twenty-five lakhs of rupees of his, and millions of rupees had been laid out in railway works. Who are these low and unworthy people? It is not enough to make a vague statement: where is the evidence? Let the man be tried. A man complains of a burglary in his jeweller's shop, and you say to him, "Oh but you were misusing the jewels".

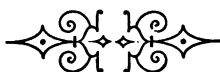
I ask the House to take at least some tone of dignity in this matter. This despotic government of India, as an Indian Secretary once said, has no public opinion to influence it, no Parliament to control it, no Press to criticise it. The Government of India is a despotism that has in many degrees been well for India; it is a despotism which has brought in its train advantages which many of these poor people would not otherwise have obtained; but it cannot be denied that in many respects that despotism in the past has been tainted with fraud and crime, and I hope it is not left to the present Government to revive these evil traditions in obtaining possession of Kashmir. The Empress Queen, the paramount Power, acting as Judge, has condemned this man unheard. No man should be under menace of this injustice. The grandfather of the Prince bought these lands, and we by treaty declared they belonged to him for ever. (Sir John Gorst expressed dissent.) The right hon. gentleman does not seem to be acquainted with all these facts in the history of India. Shall I ask him to read and tell us the exact sum paid for the Maharaja's dominions?

How do the Government justify their action? They say the Maharaja resigned. He says he did nothing of the kind. I am more inclined to believe him than even the Under Secretary, for whose statements I have always the profoundest respect. Officially, there could be nothing better than the way he answers questions in this House; but when history some fifty years hence comes to deal with him, the comment of the historian will be how wickedly the Government deceived the Under Secretary, by making him say as truth the things that were not true.

It is said the Maharaja voluntarily resigned. It is true that on March 8th, 1889, the Maharaja issued the following document. I will abridge it; if it is said I am incorrect I will read the whole willingly; but I do not think my abridgement will differ from the exact words. The Maharaja appointed a Council who were to govern the country for five years, he reserving to himself all his princely rights and reserving certain powers, but allowing them much the same authority as, allowing for Oriental position, a Cabinet enjoys here. The Government of India do not accept that, yet they say they accepted a voluntary resignation. What he offered they would not have, what they wanted they took from him. The Maharaja says that even in the decree of March 8th he acted under pressure. I do not ask the House to accede to that, but I do say that he is entitled to a Select Committee here—or he would be even content with an enquiry conducted in India, if Lord Lansdowne will give his personal attention to it. The right hon. gentleman is better acquainted with the Government of India than I am. He knows that Residents are not always perfect, that Residents sometimes quarrel with a prince, and that matters are alleged as facts which do not always bear the test and scrutiny of examination.

This man through my mouth appeals to this House, not that you should declare that the Government of India is wrong—he simply asks for an enquiry. He has a right to that enquiry. I regret that the appeal has not been made by an abler tongue, by a better informed man. But I am limited to the information that the Parliamentary papers.

presented to the House, and such records as the history of India, enable me to present, and I say without fear of contradiction that no case is made out for the action that has been taken. In 1888 the Government of India and the Secretary of State in Council at home came to the conclusion there was nothing for which directly or indirectly the Maharaja ought to be deprived of power; and within seven months they take it all away. If you trample on treaties, if your obligations to the Princes of India are to be broken, and the native rulers are not to rely on your word, and English justice in India is a shadow and a delusion, let that be known: but let those who hold a contrary opinion vote for my motion as the means of protest. The government of India is no party question; alike for Liberal or Conservative, Radical or Whig, it is our duty and our interest that our paramount rule in India should be just.



CLOSING ADDRESSES AT VARIOUS CONFERENCES OF THE NATIONAL SECULAR SOCIETY.

CHARLES BRADLAUGH, President.

Newcastle-on-Tyne, June 1st, 1879.

IN bidding you farewell, let me pray you take home for the work of the coming year some of that sturdy Northern spirit which has ever characterised the Tyneside. I desire for each individual more real, more true, self-assertion. You want to feel that the body you belong to is worth belonging to, that the cause you serve is worth the service; you need to be proud, not ashamed of your opinions, and to be ever ready to avow them; not impertinently thrusting them forward, not aggressively obtruding them, but holding your colors, so that while you are by, none shall dare insult them nor touch them without feeling that the hand which holds them can strike a blow in their defence.

And there is need of individual effort; national work is nothing without local work; individual life is made up of its seconds, its minutes, its hours, which add and roll into months and years; society life is made up of its individuals, who weld themselves together to form the mighty whole. Let each year find you with a fuller table of contents to show the year's work. If, as you say, you take pride in my work and my name, make it your work and your name by joining your efforts to mine; and remember that if I am strong, my strength is made by yours, and because I believe—believe with my whole heart and mind—in the grandeur of our work and in the love and trust the workers give me.

There is plenty of local work to be done; go avowedly as Freethinkers on to your local boards; in every municipi-

pal election—and here I desire to honor Mr. Slater, whose long life of earnest discharge of duty has placed him high in honor among his fellow-townsmen—in every School Board election, in every Parliament contest, you should be the most earnest workers. And here let me pay tribute to Mr. Forster, who has worked most ably at Darlington. Work may be done in the local Press; no wrong should pass without protest; and here recognition is due to Mr. Symes for the work so well and so carefully done. Let us feel that we are alive, with a sting to use if sting be needed; not on our knees, not cringing, not creeping, but walking on our feet, erect, unflinching. Let us aid each other, and grow strong by each other's help; not for my sake, not for me, Charles Bradlaugh, but for that mighty cause which lived ere I was born, and will live long after my bones have crumbled in the grave.

I believe the prospect before us is better than it has been at any period during the last fifty years. Though I am now turning grey, I am still young—as young as I was twenty years ago—young in hope, young in energy, young in trust, young in ambition, young in strength, young in heart. Mr. Symes said the fight was unequal. Yes and no; the army against us in numbers is greater than our own, but it is not armed with weapons so good; every new book is a new weapon for us; every discovery in science, every fresh truth, every step in civilisation, every struggle of thought, all these make new weapons for us, and day by day the fight grows less unequal. Unequal! Have you seen the flood kept back by the barrier? The barrier looks so strong, and the water looks so weak, until the barrier rots, and grows worm-eaten and worn, and the flood bursts over it and through it, bearing it all away; the old flood-gates are the Church, the priests, the creeds—they are rotten, they are worm-eaten, they are crumbling; but the peoples are the flood behind the barrier, and the flood-gates are giving way.

Mr. Symes was right when he said that liberty's chief foe was theology. It is so in France, where the Republic and the Roman Catholic Church stand face to face, and the fight is nearing; we may hereafter have the same battle to fight

here with the same strong enemy. Fight theology always ; but fight also politically and socially. Freethought must be identified with progress. In France civil marriages, civil funerals, mark the Radical party. Our chief fight here just now is the political and social one ; fight the priest in his stronghold, fight the priest in the school, and let us keep our children from his touch. The Press is fighting for us, often unwillingly, often reluctantly, not always consciously.

Before the next Conference there may be another fight in the struggle which has been going on in Northampton. I trust that the next fight may carry your flag into the Commons' House. I have hope, I have trust, I have ambition. Many men and many women who made our movement are forgotten ; the memory of their names has passed away ; we have not looked back enough. Other men and other women have cut their names deep in the rocky path upwards. I have the hope, I have the trust, I have the ambition, that by and by those who hereafter read our story may find my name cut faintly there beside those names, and at least I shall have done nothing to militate against the glory of the cause.

London, May 16th, 1880.

I must not again go over the record of our year's work, but that record is one in which we take just pride. Glancing at the late election struggle, we see in nearly every borough our men on the right side. We do not claim perfection for our party, but we do claim that its men are more thorough, more earnest, more hearty in their work than most, and that they are, in the vast majority, to be found on Liberty's side.

1880 gives fair promise for 1881. A large part of this promise, in bud to-day, depends on you for its fruition. If each of you takes care that no child of his is taught theology, there will be no need for attacking theology twenty years hence ; but there is need to-day. We cannot deal with the field as though it were virgin soil, as though there were no weeds in it, as though

spade and plough had never touched it, as though it had not for years been sown with the falsehoods of theology, and rolled hard with priestly customs. Many a weed has grown upon it; we see the seeds. I see them in the religious tracts showered on me by the dozen—as though I had not read the rubbish long ago: accounts of Atheist deathbeds, with nothing in them save the inventive genius of those who serve the Lord.

While I am determined that in the House of Commons I will never use my position there against religion, let all understand that outside the House I will not change one syllable of all I have to say. The field, then, is covered with many weeds, and the weeds are so twined round many a good plant, that it is hard not to destroy the plant while you pull off the weed. Weeds you may burn, forests you may hew down, but the roots are left cumbering the soil, sucking its moisture, draining its nourishment. The trunk may be rotten, yet vermin may hide there; the trunk may be rotten, yet fungi may grow there; we must rid the earth of it, not only for ourselves, but for the future.

Who is on our side? Every schoolmaster, even though he know it not; every library; every book that is not filled with fable and bound in fraud: for every book written with honest purpose, aye, though it be against us, may light a spark of thought that shall burn and blaze in the future.

Who is on our side? The bold were on our side long ago. Dungeons held them, faggots and fire stifled and scorched them, penal enactments crushed them, yet the bold went on. And there is life in their deadness, not the sham immortality, but the true, as Bruno's spirit goes through the world, alive as 280 years ago.

Who is on our side? our work is not only negation, not only mocking, not only hewing: mock, sword, mace, these are all weapons in our fight; but we would rather not fight, but grow; we would rather not fight, but march; we would rather not fight, but work our hope out in life; but when we strive to do our duty well, on every side foes swarm hidden, forging lies like stilettos to stab us unawares.

It is something to rememoer how we have grown. This little hammer that I hold in my hand is the hammer used by

Julian Hibbert, by Richard Carlile, by Gale Jones. If you had told Richard Carlile that before the wood had grown rotten its holder, without one wavering of principle, would stand in the legislature of the nation, he would have thought it a wild dream.

Friends, you have done much for me. Without your aid I should not be entitled to the greeting (pointing to the motto behind him) given me here to-day. Some folks are here to remember me very young. I am speaking in the presence of old men who have known me from my boyhood until now. I was born to no large estate. Without your aid I could not have won the present victory. I owe you much: whether the debt will be paid in the future, only the future can tell. Yet I may, perhaps, dare to say to you that the debt is not all on one side; I, too, have striven to aid you in the time past. You have heard me speak of my ambitions. Suffer me to say a word of them to-night. One ambition I had and have, one as strong as ever, that men may number my name among the names of those who made this free platform possible. This ambition I hope to keep unchanged until I die. Though my life may not be over-long, yet I hope to see our party so organised as to be able to defend its weakest. My other ambition is to be recognised as wielding political power for good or for ill. For good, I hope. For Good, for Liberty, for Redemption, for all without distinction of color, of skin, of race or of type, but for our common Humanity.

We ought all to be gratified by the assurance of our growing strength that comes to us in the bitterness of clerical attacks, in the wild fanatical rage, since my election, of prayers and of sermons. The Central London Branch has decorated this room with the Northampton colors: let me hope that none of you in the years to come may be ashamed that your Society wore them to-day. 1849 to 1880. It is a large piece out of a man's life. From Bonner's Fields to Westminster Hall. It is a long stride. And I have climbed, not crawled; marched, not crept; I have held clenched fist, not silken hand. But, friends, do not expect too much now. Man can only do what man may. I will try and do my best. More than this none may promise truly. I

will try to do as our bravest dead would have done in my place. Thomas Allsop gave me that motto of "Thorough" (pointing to the beam). Strafford put bad tradition into it, but it is a good motto, for without that a man is nothing, I am ready to learn; I have learned much since I first stepped to your front; I have much to learn in my new place. I will try always to be "Thorough" there, and if you do not always agree with me, let me have fair trial before you judge.

I have learned to love many of you, for in the hour of trial men and women of Lancashire, of Yorkshire, of Tyneside, of Glasgow, have stood by me, and have been my friends. In the old times many a brave man has fallen, because he has been alone. During thirty years, lone though I have often seemed, I have never been utterly alone, and all through men and women have loved me, men and women whose love kept my heart warm when it seemed well-nigh frozen. What one man may do, I will strive to do: the result must be left for the story to tell.

Of my foes—for those in front, they must move. For those behind me, who ought to be with me, they are finished. I have no word of further reproach for them, but also I will not work with them. Foes in front I will fight, and friends I will win in the new circle as in the old, but for those who have known me for years, and whose petty jealousy makes them slander me, let them stand off; my way is in front.

Let me speak to you of my duty, my faith, my hope. It is my duty to build up, but also to attack. A big wall blocks the way; I hold a crowbar in hand, and will pull down and make way for the sowers with their bags of good seed. It is my duty to build up, but also to attack. In the far West a man is promised land, and he finds his land covered with trees marking centuries of growth; he must clear before he can build: he must cut logs before he can raise the hut: these trust me with the axe, and I will wield it to make room for the builder. It is my duty, and it is no painful duty; it would be pain to be shut out from doing it. I read to-day in many journals—journals which have discovered in me ability they never saw before, powers of oratory they never knew of—I read in these remarks as though my position were one for pity,

as though I stood only with tabooed men. Were it so, it were no cause of pain. Last Tuesday I saw a member of a little sect which men tried to crush and failed. Fifty-five years ago that sect was in a worse case than we are to-day. They could not sit on juries; they could not give evidence in criminal courts; they are now in the Cabinet. We see the fetters falling from us; we see the redemption of our children by the conscience clause. When I see this, I feel pride, not pain—pride which knits itself into my life, my hope, and my faith. Faith? Yes, my faith. I have faith more than many. I do not believe in the far-off yesterday, too far off to catch a glimpse of, nor in the far-off to-morrow in worlds of the future. But I have faith in Humanity, faith in men and women, faith that is proved by test. Humanity grows larger, not lesser. Look back and see men, ignorant, savage, brutal; see them growing; see struggling thought moulding itself into speech; see speech, the child of thought, bringing forth new thought out of her ever-fruitful womb. Humanity is growing larger than castles, larger than temples, larger than empires, larger than creeds, larger than churches; men once built these, now they are outgrowing them. I have faith in that Humanity. I have hope in the future; hope in deliverance from the fears, the shackles, the fetters of the past. The age is not far off when men shall be free and equal, not in the dead level of that equality which can never come, but the age in which men rank higher than kings, and priests are not.

Bury, June 5th, 1881.

Something had been said by Mr. Slater about the change in the day—beginning so gloomily and ending so brightly, and he (Mr. Bradlaugh) thought that might be taken as an emblem of what the Freethought struggle had been. The morning of Freethought was gloomy, but the storm was lighter now. Any quarrel they had that day, any fighting or penalties they risked, were trifles when compared with the risk Bruno and others,

whose names even were lost to them, faced in paying the penalty in fighting for what was enjoyed now.

He could not help congratulating them on the general progress of their movement—a progress shown in the intense fear manifested in most Christian declarations, and that fear was especially on the part of the State-aided clergy. These had most to fear, because their weapons against all Nonconforming bodies were solely reason, argument, discussion, and pleadings, as those bodies might plead with them; but against the others they claimed to tear asunder the statutes which gave preference to one religious body over the others, and which gave it a position which ought not to belong to a State establishment.

He desired to say a word of thanks both to the society and the open conference for the trust and confidence which they had been good enough to express. It was necessary that he should speak honestly and plainly. The political struggle was not a struggle of Freethought against religion. It might be made a struggle by those who opposed them, of Freethought against bigotry. It would be unjust in the extreme—knowing what they owed to Nonconformists at Northampton during the past two years—it would be unjust indeed on their part not to recognise that when men like John Bright stood out as he had done; when men like Henry Richard had taken the ground he had taken, and when a man like Mr. Gladstone, not without pang and grief to him, claimed the same right for the man who was attacked for his Atheism as he claimed for every other citizen—it would be ungrateful and wrong indeed for them to pretend that the struggle which they were fighting side by side was a struggle for their party. Naturally their party was advantaged at any advance in freedom and by everything which tended to snap some of the old ties which hindered and prevented progress, but only in that sense could the struggle be said to be a Freethought struggle.

Now a word on the gravity of the twelve months they had to face. They were going to their homes, but he could not fight without their help, and he wanted them to know the people they had to fight. If he read the signs of the times aright, the

thing which was expressed by Professor Rainy and Dr. Begg, in Scotland, and in a coarser manner by a man like Dr. Berger, that which found expression in Convocation and which was more virulently and grossly put in the *Whitehall Review*, showed that there was some intent on the part of some to try to revive the old blasphemy laws for the purpose of defeating him with one weapon when they failed with the other; and that fight was the more difficult because they had to deal with the grossest misrepresentations from the daily press, and with grave misapprehension on the part of the people who should be on their side.

Some men in some meetings stood up and said that if his conduct had been different the result would have been different, and that the law would already have been changed. Such a man had the advantage of his ignorance to protect him from the charge of unfairness. But in the position in which they had placed him he had generally succeeded in winning from the judges who had decided against him some compliments for the industry he had exercised in ascertaining the law. They had to meet with most wicked representations as to what they did and taught. He said nothing of the foul pamphleteer who for election purposes strung together some truths and many falsehoods for the purpose of producing an untrue impression. He had paid to Henry Varley a compliment he perhaps should not have done, in asking him to submit his pamphlet to arbitration. Henry Varley had refused that, for he would have him (Mr. Bradlaugh) sue him for libel, as he knew that reiterated actions meant ruin to him in the mere cumulation of expenses. The only court before which he (Mr. Bradlaugh) would sue him would be that of public opinion.

It was not only a coarse speaker like the Vicar of Bolton, or the men like the Rev. Dr. Begg, who, corrected in a misrepresentation, still repeated it, but he found that men whose honesty in ordinary life he felt sure about constantly repeated, as though they were his, views on Socialism which he did not hold, views on marriage which never had an equivalent in his feelings, and declarations on prostitution which were abhorrent to his thought. He found that he had not only to

answer for what he had said, but for a number of assertions which, as they knew, never from the beginning of his life until now came from him.

There were some good but weak people, who were good enough to tell him that they were his friends, and he dared say meant it, but of whose friendliness he had not had the slightest trace during the whole of his career; they perhaps thought that neutrality was true friendship; if they did, he did not. They said that if he had done something different he would have served the movement better. When he was sent to do parliamentary work he was not sent to serve the movement; he was sent to serve Northampton. He would not do anything to hinder the movement or be untrue to it, nor did he intend abandoning one declaration that he had made; but it was not true that he had gone to the House to fight the battle of Freethought. He could fight that on the platform and in the press.

He had no intention, if he could avoid it, of ever opening his mouth on the question of religious belief in St. Stephen's, where he meant to sit for many years. But it was said that if he had pursued another course he would have won the right to affirm. They should see if it were so. A man brave and true, one John Archdale, who had a religious objection to the oath (which did not weigh with him), saw in the form of the oath an absolute breakage of a command which seemed to him divine, and refused to take the oath, and 150 years passed before the right to affirm was accorded. That was longer than he (Mr. Bradlaugh) could afford to wait. He might be told that things moved quicker now, but he did not believe that bigotry would make one step until they pushed it.

Men tried to win the right to affirm for Freethinkers long before he did, and they failed; he might boast that he partially won it, for the Act of 1869 was framed by the Hon. George Denman after a special argument in a case of his own, and after consultation with him on the subject. For years the fight went on. It was not won by standing or by remaining outside; it was only won by fighting thoroughly and completely, as he meant to fight that case. The people who told him that he might have

refused the oath and still have kept his seat were people utterly unacquainted with parliamentary law. Such people referred to Baron Rothschild, who took the oath of allegiance and therefore protected his seat ; but did not take the oath of abjuration, in which occurred the words "on the true faith of a Christian," the refusal of which did not cause him to vacate his seat.

With regard to the growing feeling in the country he was bound to say that the provincial press was much more fair and just, he might say generous, to him than the London press was. He had not often trespassed on their columns with any sort of explanation, but had left his opinions to speak for themselves. But in London they had powerful daily papers, which would suppress as far as they could all traces of the agitation ; they would ignore its facts and neutralise its forms. They had a powerful organisation against them. So powerful that he found last week that at several post-offices in Ireland the postmasters exposed in the offices notices asking the people to sign petitions against his admission to Parliament. He was bound to say that on his making representation, the Postmaster-General had written saying that he had given orders for the removal of the notices. But that showed them the grave difficulties they had to contend with in that fight.

In many cases they had evidence, which was extremely difficult to bring before Parliament, that petitions were submitted to Sunday school children and were signed indiscriminately by those children from eight to twelve years of age ; he had cases in which children had had petitions brought to them to sign ; being told that it would help them to go to heaven if they helped to keep an Atheist out of Parliament. That was the sort of thing which made him ask them if they would work for him.

He was proud to see that the Northampton colors were so worn. The selection of those colors was a question with which he had nothing to do in 1868. They had been worn in many a lawful struggle for law and liberty ; they were never defeated. It might be said they were defeated in 1868 and twice in 1874, but those were only repulses and not defeats, for they were skirmishing only to gain the victory in the end.

He wanted them to work unitedly; they had been told that if there was no division amongst them people on the other side might say that he was their dictator. If they were afraid of that they should not belong to the society. If he was good enough to be their general by their commission in the fight, they must let him be their general while the fight was going on. He should not like to measure the feeling of Northampton against theirs, but he would forfeit the right to sit in Parliament rather than forfeit the right to hold their love and trust.

For him, personally, the fight was a fairly big one; it was not merely the litigation in which they boasted they would ruin him. It was not easy after travelling all night, as he had to do lately, to go into court in the morning to argue points of law—it was not easy to hold one's own and keep one's temper; it was not easy to meet foes when amongst those foes were those who pretended to be friends. There were some who pretending friendship tried to trip him, who said the bitter word which reached him from behind, and then the struggle was made harder still. Luckily that was not his first fight; it was at present his biggest fight—he did not mean the litigation; he did not mean the common informing tools. He saw in the papers a paragraph speaking of the generosity of the common informer—in the papers was the only place in which he had seen it. It was stated that the informer might have arrested him, but the man never had the legal right to do it; he never had judgment to do it. If he had had judgment, imprisonment for debt under ordinary circumstances was abolished eleven years ago, and if it were not, imprisonment for debt did not apply to a member of Parliament under any circumstances whatever. The Tories said they would make him bankrupt; let them not believe it until they saw it.

They might leave that side of the fight. The serious part of the fight did not lie there, but elsewhere. It was no light thing for one man to challenge the authority of the House of Commons, even if the House of Commons gave a decision against the law, as it had done. It was said that new legislation was required to admit him. It was not true. If he

was not qualified by law, they could turn him out. He was only kept outside by pure physical force, and he had only for the present submitted to that physical force because the man whom they had charged with the duty of taking care of the affairs of the State had to face a state of things in Ireland which was shameful to all English people, and he would not, if he could help it, permit himself to be made the means, even for one moment, of delaying the remedy—if remedy were possible—still less the means of harassing the man whose life was a mighty one, whose career was a grand one, who stood now on the edge of the tomb, with the shadow of the grave near him. No thought of his, no word of his, should give him pain if it were possible for him consistently to avoid it. But the fate of the Irish Land Bill once settled, so far as the House of Commons was concerned, and then his duty was clear. The Government would be able to pass the Affirmation Bill, or it would not. They would be able to introduce it, or its introduction would be obstructed. If they were able it would be his duty to wait a reasonable or unreasonable time, because the advantage of affirmation was so great that as long as the people of Northampton were good enough to give him leave to wait, he should do so. If the Bill were obstructed, hindered, or rejected—it was possible it might be in the House of Commons, and still more possible in the House of Lords—then his duty was clear—to that table he must go again; to that table he would go again. If, then, an accidental majority of the Tories and weak-kneed Whigs, relying upon physical force, and physical force alone, if for the first time in the history of England a majority of the House of Commons, having no law on its side, used force against one man, grave as the issue was, serious as were the consequences, he had looked at them all, and would not give way.

International Freethought Conference, London, September 25th, 1881.

At a gathering at which Freethinkers are present from many foreign countries, it is an acceptable task to endeavor to trace the progress of heresy throughout the world.

It is somewhat wonderful that in the last quarter of the nineteenth century it should be possible, in any civilised country, to make the heresy of any woman or man matter of reproach or hindrance to her or him. It is, indeed, to the heresy of the world that all progress is due. Without the sceptical challenge, the firm enquiry, the examining doubt, the testing and verifying experience, there would always have been the stagnation of ignorance, or the deterioration and warping influence of superstition. In old times much heresy was impossible; there was no general education; there could not be any popular heresy. The heretics were few in number, their brilliant mental achievements and often terrible sufferings marking them out in the darkness of their age and country, as stars stand out clearest in the blackest night. There are many classes of heresy. Religious heresies—challenging either the religion of a particular country, or assailing the very foundation of all religions—political heresies and social heresies. In an International Freethought Conference it is with heresies in questions of religion that we are alone concerned. We do not, in thus limiting our work, mean any slight to earnest workers for human enfranchisement in social or political matters. We only desire to keep our propaganda distinct and clear. Political and social needs may vary in each land, but the conflict between ignorance and reason is in truth but one conflict in all climes, whatever the formula attacked or faith asserted.

In matters of religion there can only be two clear logical positions. One, the completest submission of the intellect to authority: to some book, or church, or man. The other, the most thorough assertion of the right and duty of individual thought and judgment. These positions are so antagonistic that there can be no truce or peace between the defenders of the one and of the other. As Freethinkers we claim this right and duty of individual thought, the free and complete expression of the individual judgment. Guided, and aided too, this thought must needs be, by the thought of yesterday and of to-day. But we deny that yesterday's thought ought to be allowed to conclude all thinking. We deny that yesterday's knowledge may be held to include all that is or can

be knowable. We claim to search for truth, and to show others what we find, that they, with us, may test whether it be true or no. We assert the right to think, and to tell openly and clearly all we can of what it is we think, and how we think it.

We affirm that in no country ought thought on matters of religion to be hindered by penal laws. We declare that in every country religious disabilities should be swept away. We do not want to train our children while babies so that they must grow into the assailants of any creed, but we refuse to allow the priest to twist and distort the infant mind with creed and fear. We would have children's education limited to science, leaving each unfettered to build his theory or choose his creed as brain-strength comes with growth. We have no desire to prevent or punish any religion by law. We would have all religions, like all sciences, on equal terms, the reward being in the future to the greatest discoverer of new truths, not as it has been in the past, to the most obstinate upholder of ancient delusions. We claim the same equality of citizenship for professors of belief, unbelief, and disbelief. But if special honor is claimed for any, then heresy should have it as truest servitor of human kind. We, here, all claim to be Freethinkers, therefore, we are no more all of one thought than we are of one stature or of one country. Nor do we make any claim that we, or any other thinkers, know all that can be known. We stand by the great ocean of the unknown, each mental eye seeing different shades of color on its waves, each thought-diver gathering from its depths truth-corals and pearls, that others missed to grasp or cannot reach.

In one of the very oldest countries, but where education has been most general and most esteemed, there heresy has been reputed and valued, instead of punished. That country is China. Professor Douglas, writing for the Society for Promoting Christian Knowledge, admits that Confucianism "has supplied the guiding principles of all that is great and noble in the life of China for more than twenty centuries". Yet there is nothing of the supernatural in the teachings of Confucius. He troubled himself much as to how men might live. He concerned himself not at all with what should be their career, or if they should

have any career, when they were no longer living. This paradox has no place in his teachings. So of another great child of this Chinese race, Laou-tze. Of him Professor Douglas writes: "Of a personal God, Laou-tze knew nothing; and, indeed, a belief in such a being would be in opposition to the whole tenor of his philosophy". Yet these twain are, with Buddha, the great masters of Chinese thought.

Perhaps the clearest record of heretic progress is preserved to us from Greece. There—almost about the very time when Buddha indelibly engraved his name on Chinese thought—philosophy lifted its head in Greece, and made thought easier in all time for all the Western world. There is not the time to-night to trace the history of Greek Scepticism, nor to linger over the page that tells of the hemlock cup which silenced the tongue without smothering the sayings of questioning Socrates. We must not even—after some centuries leap—stop to pity the sore martyrdom or to admire the eloquence of the pure, the beautiful Hypatia. Temples have been built to these and their heretic brothers and sisters, not in marble or in granite, but in working, stirring, doubting, reasoning, truth-coining, human brains.

It would be ungrateful to quite pass by Arabian heresy and our indebtedness to it, even though we have not space enough to give due honor; it is to the Arab of the tenth and eleventh centuries that we to-day owe much. When learning had been trampled down throughout all Christendom it was the Arab who not only gathered and preserved the mental legacy of India, Italy, Greece, and Egypt, but added to it the tenfold interest of his new discovery and keen thinkings in every then possible branch of science.

But our business to-night is with heresy since real heresy has been possible. That is, possible for the many. That is, since the printing press has been known in Europe, and since men talked to men openly in their own tongue. In the great arsenals of Europe huge monster cannon are built to shatter human homes, and shot and shell are cast and filled with which to load these cannon. The printing press is our grand cannon; thought, question, and affirmation our shot and shell. Book and tongue are our sword and bayonet; pen and speech our

lance and spear. But neither our writers nor our speakers have gone through the fight unscathed.

Italy shows us, during the last three and a-half centuries, a terribly full martyrs' roll. Dungeon, rack, and faggot were the ready arguments of the Roman Catholic Church. And these were freely used. The mere list of names of these Italian martyrs for Freethought would take more time than to-night can be spared; but one name must at least be repeated with much of reverence and more of triumph:—that of the man burned in Rome 281 years ago. A man whose tongue, pen, and body were alike untiring; who in Naples, Switzerland, France, England, Germany, and Venetia worked to make Freethought possible for us; who lay eleven long years in prison; who endured the rack and perished at the stake. True till death, the grand and glorious Giordano Bruno, whose ashes were scattered in Rome, but whose memory still lives, whose energy still survives, whose martyrdom we honor, and whose marble presentment we hope ere long to see challenging the Vatican, with the promise of the Freethought victories which the twentieth century shall bring to crown this nineteenth century effort and to redeem that sixteenth century shame.

In France it was in the seventeenth and eighteenth centuries that the struggle was most fierce, and for some time least fruitful. The mass of the people fed too little to think much, and the work of the Encyclopædists was as that of the sower on the rock so far as concerned the great mass of the nation. But the men who were imprisoned and whose books were burned during the Regency and in the reign of Louis XV made possible the more general intellectual array of this century. Fewer giants perhaps, but more men. The fire which burned Vanini in the beginning of the seventeenth century is quenched for ever; and, though the priestly hatred against Voltaire still lives, the wit they fear, and hate because they fear, has been fruitful mother of freer thought in France.

Holland and Germany have been mighty for thought-leading through Europe, from Spinoza to Kant, Fichte and Feuerbach. In England, from Hobbes to Mill, a grand march of great thinkers. But it is not alone of the great thinkers we have here

to take account; it is of the village orator, the local pamphleteer, the poor and often rough-mannered defender of the right of speech and of publication. These in turn have each and all had hard battles to fight. Gaol for themselves; poverty and contumely for their families. To be "infidel" was worse than to be burglar. For the "sinner" there was welcome by the pious: he might repent. For the heretic thinker, no mercy to be shown him. But the poorer soldiers have left scant personal record of their work. This work is best known by the platform and press which they have won for our use. Who shall tell in each land the histories of those humbler ones who have faced hunger and mockery, prison and shame, to win even the grudged freedom we enjoy to-day? They are the privates in the Freethought army, their loss scarce counted in each country's victorious progress.

In every department of science the triumphs of heresy are distinct and clear. In astronomy the *e pur si muove* has been real moving onwards. The sun and moon are no longer the two great lights, with little twinkling stars, to give light to the central earth. The aforesaid heresy of Copernicus and Galileo has conquered. The astronomic heresy which the priests could not crush has become the astronomic science to which they give their sanction. In geology the vast periods to which yet no maximum limit can be set utterly outshadow the old church chronologies, which place the creation of the world B.C. 4,004; and the evolutionist helps us to trace back into the vastnesses of these geologic æons how the development of life has slowly but surely progressed. To-day the churches cannot burn Darwin, Huxley, or Wallace; Broca, Topinard, or Hovelacque; Vogt, Hæckel, or Büchner. The priest of the old altar of the unknown is powerless save for petty spitefulness against the newer workers in the temple of truth. Even in psychology, the domain in which the priest was lord and the creed was master, even there heresy triumphs. Mental diseases are no longer demoniacal possessions; science cures, prevents, and alleviates, where religion chained the lunatic to the walls and exorcised the devil-possessed unfortunate. Maudsley, Huxley, Tyndall, Clifford, Lewes, great living and, in thought

still living, dead, these honored names mark heresy's triumphs.

And perhaps you will pardon a poor addition to these mighty things in the mention that even in the Cortes of Catholic Spain Martos and Castelar are claiming to get rid of the oath, which we, too, have had to fight at home.

Edinburgh, May 28th, 1882.

It is my duty and my pleasure, as President, for the current year, to deliver the closing address of this first Freethought Conference openly held on Scottish soil. We may congratulate ourselves on its national character. Forty towns, some in the extreme south and south-west of England, have sent their delegates, some of them travelling over 500 miles to be present here; so that we may take the gathering as a fair proof of real earnestness. It has been a source of great pleasure to me, and I am sure to all, to find the thorough unity and harmony of discussion prevailing. Our Scotch friends seem to have laid aside to-day their critical swords, but I trust that they do not think that we resent criticism; we have often found theirs most useful. Let me thank all for their efforts to make everything harmonious. One speaker has referred to Scotland as a land of bigotry. Perhaps that is so; but let us not forget that the land of bigotry is also the land of earnestness, and I almost prefer bigoted earnestness to hypocritical indifference. There is hope of winning the one; there is little use in the other. But Scotland has higher attractions to Free-thinkers than that of earnestness. Freethought owes enormously to Scotch thought, whether it be for or against itself. Some of the closest reasoners bear Scottish names. Need I add to that of David Hume the names of Dugald Stewart, of Adam Smith, of Sir William Hamilton, to prove how much Scotland has contributed to our strongest thought, not claiming them as agreeing with us, but as helpers to us, since all strong thought makes the possibility and the education of Free-

thought? It is right also to say here that Scotland, above the other English countries, has done most to destroy the hope of bigotry by its universities throwing open the highest education to the children of the poor. Scotch, too, is that Chambers' literature which has done so much for education, without serving one sect more than another. But I must turn from this, lest you should think that I am trying to flatter you, and I know that flattery is considered by a Scotch audience as the worst of bribery, and that you would rather I should break your heads with hard blows against your most cherished opinions than try to win you with compliment, however well deserved and sincerely meant.

The post renewed to me by our society to-day is a post of honor, of higher honor than could have been foreshadowed sixty years ago. Some of you are old enough to remember hearing from lips living at that period what the position of Freethinkers was in Scotland then, how impossible it would have been to have then held such a Conference as ours. One value the post has to me is that it brings me into contact with men of every country who hold that the position entitles me to their friendly greeting, greeting not to me for my own sake, but for your sake in whose trust I stand. This free platform that has been won needs from us to-day vigorous defence. You have heard from Mrs. Besant and Mr. Foote how that liberty is won and is grudged. Won, in that the laws against us are not enforced, but the laws are there and may be enforced. We have not yet won equality with other sects; we have not yet won social liberty and equal right. Our platform is only tolerated. Tolerated? But no one has right to tolerate. I have no right to tolerate the thought of the churches. They have no right to tolerate mine. Their thought is theirs of right; mine is mine of right; and the judgment of to-morrow only can be final both on their thought and on mine. But I ask you to remember that no strong defence can be made by one.

Sixty, nay fifty, years ago men and women went to gaol in Edinburgh for holding the opinions with which we are identified to-night. There was no society to stand by them

then; no organisation to aid them then. We should be as weak as they, were it not for the public opinion made by the organised propaganda we keep up. You have the right to help; you have the duty of work and the right of work, so that all the pressure may not fall on a few. None has the right to stand alone, to refuse to join a society. Why not? Because he could not think save for the thought before him. Because he could not know but for the destruction of the censorship which blotted pages out of the books which teach him. Because his thought would be silenced but for the struggles of gallant thinkers of yesterday. Each who links himself to our Society makes us stronger to meet the powerful organisations against us, and in some measure repays the debt he owes to the Freethinkers of the past.

Mr. Foote has spoken to us of the heretical works of the great dead, of Emerson, of Rossetti, of Darwin. As he spoke I remembered the Anti-Clerical Conference in Rome, held when the Œcumenical Council was sitting there, in which I was invited to take part by Ricciardini. I was reminded also of a remarkable phrase in the London *Spectator*, that Carlyle had denied miracles, while Darwin left no room for a special providence. Westminster Abbey for Darwin's bones; Belfast pulpits against Darwin's brains; and Darwin's monument his work, destroying the Church which enshrines his coffin, and which is the most powerful foe of education in this land.

The signs of persecution spoken of by Mrs. Besant are not confined to England, Scotland, and Ireland. There are traces of fierce activity in France and in Italy; the Roman Catholic Church in those lands must either drive back heresy or be broken; the school is rising against the Church, the schoolmaster against the priest who trades on ignorance. Here among ourselves there is a danger in the growing strength of societies cast out from other lands, and it is not wise to ignore it. We have Cardinal Manning interfering in our political strife; a foreign Cardinal impudently issuing his Bull to a free people; it scarce needs another Luther to burn such Bulls as his. It is too late for Rome to try and grapple with the Rationalistic spirit of to-day!

Is the power of the priest broken? I wish I felt sure it is. Some of the weapons of the priest are broken. His rack, his faggots, his chains, his prisons are broken, but his power, while the power of the confessional exists in these lands, over our mothers and sisters is not broken, and we must break it. The power of the priest is shaken, but I fear another generation or two must pass ere it will be wholly crushed. Yet well may Mr. Foote have said so, when he knows that in Rome itself, where Bruno died, to-day orators speak, under the very shadow of the Vatican, the heresy for whose sake he gave his life. I ask you to-night to join hands to forward this great cause. You need not lectures now and then, not applause of some favorite orator, but that every Freethinker should think it his duty to stand by the colors. There are matters connected with the press which we are bound to guard; we must keep it thoroughly free, and we must try to create a public opinion that will prevent any taint falling on those who work for us, any slur, any injury to their means of livelihood; we must win for the platform the right enjoyed by the pulpit, and give to our speakers the same honor as is given to the most favorite preacher. We want a platform guarded by an enlightened public opinion, so that no bishop, no member of the House of Commons, no assembly of a kirk, shall dare to join immorality with unbelief. Why should these two be united? Why should immorality be connected with unbelief rather than with belief? Freethought should surely rank higher than the mumbling of old prayers!

You will think that I ought not to conclude without some words as to my personal fight. I can only say that I shall fight on, that I have never been beaten in the long run yet, and that I don't mean to be now. I have been reproached for lack of education; one word certainly I have never learned: Defeat, and I am too old to begin to learn it now. So far as their legal attacks are concerned, I will fight them in every court. If bankruptcy must come, let it come to those who commenced the fight; we did not. Let us empty their purses, and teach them to regret that they ever provoked the struggle. That is my fight. On the hustings the fight is yours. You must show

no mercy, no sparing, when you deal there with the men who have insulted the women of our party. We cannot in every case win the seat, but we can always make it lost to the man who has maligned us. No seat of these that I can strike at will I spare. I have settled about a dozen of them already. I do not pretend, friends, that I shall in the future do all you wish; a man can only do his best. My judgment may not always be yours, but I will try to guide it by the best judgments of those who have gone before.

The Edinburgh society has set before us two mottoes: one that of the N. S. S., "We search for truth": the other my own, "Thorough". For the Freethought one I say, that we do not pretend to know all truth, but we have learned enough to know how vast is that for which we search: no statute has the right to check our search; no Church has the right to stop it; no priest has the right to hinder it; no curse has the right to doom it; no prejudice has the right to forbid it. Truth we will have, if human effort may make the road to find it. Our grasp is not big enough to hold all we find, but by gripping some facts we may teach others to grip more strongly, while we learn ever that truth lies beyond. For my own motto, I will strive to justify it, both in the office you have given, and in any other I may win. And when my work is over, and the stone covers the spot wherein I lie, may I be entitled to have the word "Thorough" carven upon its face.

Manchester, May 13th, 1883.

Crowded as this gathering has been, I have seen gaps in it which make sorrow to me — gaps, which old faces used to fill; gaps where sturdy friends, tried in struggle, used to sit; gaps where younger ones sit to-day, but which are still gaps to me, carved by the hand of death, and left empty for ever.

In re-electing me President I would ask you to remem-

ber that I am only what you make me. I have only the strength you give me; I wield only the authority you form for me. I am your mouthpiece, not your dictator; your servant, not your master. I am your standard-bearer, not your leader: standing in the front rank because you put me there. It is the trust you give me, the love you bear me, the sympathy you show me, the loyal work you do in response to my appeal, that make me strong; it is the echo you send out from every village, every valley, every township, when I call to you, that rings into every church and chapel in the land. Therefore, now, I appeal to you that in the coming year you will help and sustain me and the Executive you have elected to do your work. The world expects more from us to-day; the opposition is fiercer, more bitter, more unsparing than ever. It needs that we should be not reckless, but firm; not insulting, but not flinching; we fight not with our own strength, yet with the strength of generations upon generations who lie in their graves, but whose work lives in our work to-day.

I appeal to you to organise and unite. Isolated, you are like the dust, blown by every breath of wind; linked together you are rock. Children linked together could hold a strong man, who could throw them over one by one. Link yourselves together as our cause is linked with all that is great and grand, noble and sublime. There is no need to ask you to unite for great things, but for small: a crisis finds you all ready, but I want you ready when you do not see the crisis, when you do not see the difficulty. I want you to form part of the political life of the district to which you belong. When men see you firm, when they admire your straightforwardness, when they note your courage, they will turn to you as leaders in the hour of strife.

A man whom I will not name, in an influential position, with wealth at his disposal, a power in chapels throughout the land, a man of lifelong integrity, said to me lately: "One thing, Mr. Bradlaugh, I cannot understand, and that is how ready your people are to help ours, though they disagree with us". I answered: "We are ready to help you when we think you right; we judge your work,

not your creed". In all contests, municipal and political, teach men to turn to you, and try to judge with as much freedom from prejudice as you can. If a man is not all you want, yet select the best man you can find and work for him. No Freethinker who can get a vote should remain without one. He is disloyal to the cause if he leaves ungrasped a sword he might use. The suffrage is a weapon, and it is one we will use; those members who have trampled on our rights, those members who have slandered our lives, those members who have giped at our ignorance, those members who have insulted our women, we will meet those members at the polling-booth, and we will fight them there. We may have a general election before the year now commenced has closed. There are storm-signals flying, and I promise you to keep a sharp look-out, and to give warning of the bursting. We are a fighting party; we are fighting for our existence; our platform is not yet free. The danger is not so much from the prejudiced folly of a man like Mr. Justice North, as from the reasoned views of such a man as Mr. Justice Stephen.

All Liberals have rejoiced to hear, or to read, the humane, the generous, the kindly, the broad, the liberal views of the Lord Chief Justice of England; but we must remember that these views only open out possibilities; they are dicta which may grow into law, if we are careful and wise. Now, the history of the law is really our danger, and in the hands of judges determined to strain the law the platform would be made precarious. Carlile spent nearly nine years and eight months in gaol to make our platform. Poor men went from your valleys in hundreds, and lay in gaol to make the platform safe, to win the right of speech. The right of speech, the right of platform, the right of press, these rights have not been given: they have been bought with hunger, as men in gaol left their families starving outside; they have been bought with torture of heart and torture of body; not with the torture of the rack, for that was merciful—the rack was followed by the grave; this torture left men—living men—surrounded by starving wives and starving children, yet they bore all that they might win freedom for us.

Our worst danger, however, is not from indictment for blasphemy, but from Rome; Rome, which is mingling now in our political strife; Rome, which dared to send message to Northampton to bid free Englishmen vote as the Vatican dictated; Rome, as to which Sir Massey Lopes in the House said he rejoiced in its aid. Rome is too bold; we will not have it. Rome has cursed Italy; it shall not curse us again. Rome shall have free church for its worshippers, free bench for its bishops, free right for its speech; but Rome shall not touch our liberty, Rome shall not master our political life. Rome shall not put back our Freedom's clock to the time of the Middle Ages; we will break first the hands that touch it. We see an ominous union of Newdegate and Manning; the old ultra-Protestant has forgotten the words, bitter and coarse, with which he assailed the scarlet lady of Babylon, words too coarse for repetition in our meeting here. Yet we see him walking into the lobby arm-in-arm with the protégé of Cardinal Manning, and we must admire the forgetfulness of each. But most of all must we admire the forgetfulness of the Protestant; for Cardinal Manning only uses the ultra-Protestant as his tool against a foe more dangerous to Rome. The fight between us and Rome must come one day. It may be far-off; it may be to-morrow—the fight between Rome and Rationalism, between the fullest assertion of the right of private judgment and the most complete submission to authority.

I have now only to dismiss you and to look into the coming year. Shall we have more blasphemy prosecutions? I think not; at any rate as against myself, unless Sir Hardinge Giffard learns some fresh trick of law, I may hope to give reasonable account thereof. But am I right to say that I think there will be no more? Baffled against one, may they not try to touch another whom they deem less skilful of fence? Shall more men wear prison dress? Shall more men live on prison food? I cannot tell you how pained I felt, when, on visiting Holloway Gaol, I heard a letter and a number given to summon one, and then a letter and a number given to summon another, and when two men came in, in dirty brown prison garb, bearing letter and number, and I recognised them as those I knew. They have

offended against good taste? But do you send men to gaol for offending against good taste? Do you dress men in prisoner's garb for offending against good taste? Do you shut men up in small cells for twenty-three hours out of the twenty-four for offending against good taste? Do you make men pick oakum for offending against good taste? At any rate men are not so treated who offend grossly. To-day on the walls of your city I see huge bills headed "Blood and Fire", and if religion be a reality, what could be more offensive than those bills? And if good taste is to be the rule, what of those religionists who libel our dead, who slander our living, who shut our men out of employment, who close colleges against our women, who mock us with our ignorance while they shut us out from knowledge?

I have said many a bitter word and many a harsh thing; perhaps some had been better not said. Yet were I to live my life again, with the knowledge of how cruel, how merciless the Church has been, how it has made speech impossible, how it has poisoned our lives, I might wonder that all my language had not been bitter instead of only some. It is better not to offend, if offence may be fairly avoided, and it is better because we hurt the good men, not the bad. Good men, such as Canon Shuttleworth and my friend, Stewart Headlam; among Dissenters, such as Charles Williams: among the United Presbyterians such as Mr. Marjoribanks; in the Church of England, such as the Vicar of Coalville: we regret to give these men pain, and if we needed anything to make our tongues gentle and to soften our memory of yesterday's wrong, we might find it in one of England's greatest judges, Christian to the utmost, creed-bound to the fullest, wrestling with his creed that he might do justice, and wringing himself with pain that he might not injure us. I ask everyone of our speakers, every one of our writers, while they are striking at the Church which has cursed the land, at least to remember that there was one strong in creed, strong in prejudice, separated from us by an abyss of judgment and of feeling, who yet stretched his hand across the gulf, and strove to be gentle as well as just.

I cannot part with you without reminding you how Free-thought is spreading through the world, through India, through New Zealand, through Australia, through the United States, through Holland, through Germany, through Italy, where no Atheist is precluded by his non-belief from the enjoyment of civil rights, through France, where the vast gathering round the grave of the man she loved, where the sympathy, the hope, the love, the patriotism shown, were all without shade of religion. But though the cause is winning, the struggle is not over yet. We struggle against the fetter-customs of yesterday, against the reputations made when men libelled and racked and burned the heretic. Time is on our side? Yes, for our cause; but Time marches with iron scythe and cuts down the living soldiers, and their blood waters the fields over which they march. Time is always on the side of Truth; but in time they have racked our warriors; in time they have burned our martyrs; in time men have lain in dungeon, and the grave had given the fulness of time to the man yearning for freedom.

Friends, I finish gratefully, hopefully; gratefully, for all you have done; hopefully for the coming year. I greet you as fellow-soldiers in the army that fights for liberty. All truth, all right are not ours, but we have the right to search for truth in trust for those who come afterwards, and we will do our best to make the search rich for those for whom we gather.

Plymouth, June 1st, 1884.

Let me congratulate you on your unanimous and hearty way of work: this informal Parliament grows more useful every year, although there is no way of holding it together save by goodwill and by desire for the good of the common cause.

Twenty-four years ago, as has been already said, I was brought up through a hole in the floor into the dock of the Devonport police court; I was not then tried for blasphemy, because the Young Men's Christian Association had been too hasty: they

had arrested me as soon as I had said: "Friends, I am about to address you on the Bible". Even then my reputation had such a peculiar turn that it was thought that these words justified my arrest. We have had some growth since then, some change in position since then. Then, in court in Devonport, in court at Exeter, where I fought the matter, Freethinkers were objected to, and their evidence was rejected on the ground of their heresy. We have destroyed that, but we have not yet destroyed the insult attached to our evidence-giving, we have not destroyed the power of the bigoted to make the giving painful and difficult; but we will. This we may boast, that we have always fought within the law. We have threatened no violence, we have used no violence, we have acquiesced in no violence, we have encouraged no violence. We appeal to men's brains, to men's reason, and we may remind those who are against us that wherever Freethought makes its way in a country, there the reforming spirit in politics is orderly, peaceful, and must be useful.

I am glad that you have carried Mr. Foote's motion on the Blasphemy Laws. For years in that agitation I stood almost alone. Twenty-three years ago I was rebuked by one who then stood high in the Freethought ranks for wasting the energies of the party in attacking obsolete laws. Bad laws live for mischief always. They are weapons in the hands of the cruel, which may be used at any time. The iron was cold then when I struck it, and the effort was wearying; but if we did not repeal the laws, at least we won friends enough not to leave their victims undefended when they were themselves silenced. I ask you not to let this resolution be of words alone. You, who by your presence here, show that you are Freethinkers, I ask you, hundreds of you not enrolled in our ranks, I ask you to come boldly out and join us, for to be Freethinkers to-day, and not active workers, is treason to the common cause. In the coming year there will be fighting enough for all. On June 13th I am to argue whether Atheists have any civil rights at all; whether holding the position you have given me, and which I am proud to hold, whether that position in free England makes me an outlaw, without political

rights. I shall argue with ten times the force because you trust me to argue it, and because I shall know that I am arguing for you and not for myself alone. I mean to win. The matter is so grave that I would not say so to you unless I felt sure, and you know that I have never said so to you unless where I have won before the finish. I cannot tell you when, nor where, but if it has to be in the House of Lords then I will go there to win, and will win there. But I will try to win before.

If we want to measure progress we must not reckon it by the last twenty-four years: twenty-four years is nothing but a speck of time in history. We must not measure it by the twenty-five years before that, although that quarter of a century held in it nine years of gaol for Richard Carlile; although in it hundreds went to prison for blasphemy, out of one shop alone nine men and two women. It is something to be proud of in our movement that women have shared in its perils; something to be proud of that we have women now, able to endure, able to speak, able to instruct, and to make us purer by struggling by our side. We must not measure our progress by the century. One hundred years ago they burned Diderot's works, and this year Freethinkers will gather in honor of Diderot's centenary. One hundred and ten years ago in France penalty of death was put on any who should dare to publish any "book calculated to disturb the public mind". A Nonconformist sent Mr. Foote to gaol last year, but a hundred years ago Lord Mansfield rebuked the persecution of Nonconformists, declaring that the city of London, in paltry thieving spirit, nominated Nonconformists to offices they could not fill, so that they might fine them for the non-fulfilment; Lord Mansfield characterised that persecution as mean and paltry; persecution had been cruel, it had become petty. And persecution is always petty—petty, paltry, and short-sighted. The twelve months' imprisonment have given to Mr. Foote a force and an influence, not among you who love him, but among those who hate him, that no work could have won in the same time.

Three hundred years ago Bruno was burned for Atheism; to-day in the Italian Parliament men sit who hold views

more extreme than those for which Bruno suffered in the Piazzai dei Fiori in Rome. Then Galileo was compelled to recant, while he muttered: *E pure si muove*. Then Spinoza was excommunicated by the Jews, the Jews who have suffered so much, and who suffer still, and who, like many who are persecuted, are sometimes too ready to persecute in their turn. Take Pomponatius racked, Vanini mutilated, and then you can measure the progress made, for as against these the three, or nine, or twelve months' prison may seem as sunshine.

We, meeting in Conference, take this position: that no authority save that of reason is valid; that no place save that of freedom is worthy; we dictate only by the clash of thought, and we are against every form of ecclesiastical establishment, not because we disagree with its creed, but because every form of thought should be equal in opportunity.

I thank the Plymouth Branch that opposite Mr. Foote's words they have put the word I hope to deserve, "Thorough". We mean to be thorough. We claim no right to dictate views to others, but we do claim that none who hold ours shall be forced before a judge; we claim education secular and universal, no social, no political, no religious disabilities put upon us; we will not have toleration, but equality; falsehood should not be tolerated, it should be exposed, but none should punish the man because his views are false. Leave him to judge. Give fair play and free play to all.

It would be unfair now to keep you longer, so I will only say that the morrow is full of promise. Fifty years ago education without religion was impossible; it was superstition or nothing; on your knees or nothing; church prayers or nothing. Now we may try to walk, even if we stumble. I thank you, friends, that you have trusted me to lead you for another year. There is fighting to be done, and I still can fight. I have said nothing to you to-day of my political struggle, because it would not be fair to others. Cordially agreeing as I do with what Mr. Foote said of those who are willing to stand beside us in fighting for liberty, you will recognise how I feel to good folk who disagree with my heresy, but who are good enough to give me their

political trust, and hopeful enough to believe that I shall not dishonor it.

Birmingham, May 24th, 1885.

Not all of you in this great meeting are of us ; not all of you are for us : not all of you, perhaps, are even well inclined towards us ; yet all of you, every one of you, friendly or hostile, ally or foe, is lending strength to us to-night : is helping us to mark a great step of progress in this land. Progress, but progress not yet complete ; which until it is complete must be painfully won, hardly won, sorely won ; won, as *he* (Mr. Foote) helped to win it by gaol-suffering as payment won as *she* (Mrs. Besant) helped to win it by house laid desolate, and heart-strings wrung, and child's life torn away.

I congratulate you on the progress Freethought has made throughout the world. Here we meet in this noble hall by grace of your good town. In New Zealand, Robert Stout and John Ballance, men holding the views I hold, speaking as openly as I speak, hold office, one as Prime Minister, the other as a Cabinet Minister. In New Zealand there is perfect equality for all before the law, without mockery of oath to make shame or taunt of. There an Affirmation Bill has given to every one the fullest right, without hindrance, without insult, without question. New Zealand gives us promise of what we shall win ; win with your help, if you will give it ; win despite your hindering, if you will hinder ; win in any case, for we will have it.

To-day we have still many disabilities, but we have also many possibilities of hope. Disabilities not only complained of by men of our own side, but recognised as such by those outside our ranks. Mr. Justice Stephen has sketched the Blasphemy Laws in what he calls "all their naked deformity". Lord Justice Lindley, administering the law against unbelievers, admitted that there were laws against heretics of "cruel severity". We demand the repeal of all

such laws; we demand equality of civil right. We do not ask for toleration from our enemies. Toleration implies superiority; we claim equality. We claim fair play. We say that in the conflict of thought, in the multiplicity of creeds, in the multitude of churches, in the myriads of sects, some must be wrong, all may be wrong, and the duty of each is to give fair play to all.

In a country like Great Britain, in an empire with 350,000,000 of subjects holding differing faiths, the duty of a Government is to hold the scales level, giving privilege to none, putting penalty on none, yielding protection to all. And we are grateful to your Corporation in that it has held the balance even; that it asked no pledge from us that it does not ask from all; put no restriction on us that it does not put on all; and I ask it to believe that we desire to take no advantage beyond that which each body has which meets in this hall. We do not deny to any the right to worship; we do not ask that any shall not be protected in their worship if they need protection: but we do claim that we may stand as safely as they may kneel. We challenge only any special privilege for any; we rebel against any special penalty on any; claiming fair play for all, free ground for all, equality for all before the law.

There must be, with liberty of thought, many shades of thought. We claim free utterance for all of them, however extreme any may be. Let enlightened public opinion hear all, weigh all, judge all. Let all thoughts be equal before the law, with no opinion-penalty, no opinion-imprimment, no opinion-heartwring. Against special disabilities we are rebels. Years ago, long years ago, generations ago, the fire burned up Bruno. Those fires were relit here, and Priestley saw their flames lick up his library and his instruments; now in this hall his pictured face looks down from the place in which you have raised it high in honor, looks down on a crowd to which our speech utters his thoughts carried further than he carried them. We have the right to think as far as we can. Are you more enlightened than we? then answer us. When our thoughts have been uttered let the best exponents of

orthodoxy answer them ; but do not burn, do not imprison. I say nothing of the small obstacles that have lain in my own path ; you have helped me to climb them, and you have lifted me higher than I could have lifted myself. We will think, and we will let our thought be heard.

Mr. Foote has referred to Victor Hugo, and we may well join in reverent tribute at his grave, for he was a big man among small men, a big pen writing clear strokes where others scratched, a painter with huge brush painting upon the world what he saw and what he dreamed, beyond the petty gutter-realities of many who mocked him. This man, dying, would have no priest at his side ; he was, as described in the *Times*, a "Voltairean Deist". A few years ago he presided with Victor Schœlcher and Maria Desraimes at a Freethought Conference at Paris. Recently he was named on the Committee of Honor for the Bruno Memorial, for that monument which marks the progress of Freethought, which climbs the Roman hill to look down on the Roman mockery that has hindered hope, poisoned Italy, and is now dying of its own corruption.

We have no creed, but we have much faith ; faith in the possibility of human progress ; faith in digging after truth ; faith in searching after truth ; not in looking backwards to yesterday but in working for the morrow ; not in lying prone on the ground praying, but in climbing upwards towards the light. We believe in the decrease of human woe, as men hate less, as they love more, as each helps the other to make his grip the firmer. We believe in the lessening of human hatreds, as men recognise that varying opinions may be held with equal honesty. We believe in the use of reason instead of force, in peace instead of war. Religion may bless bayonets ; Freethought cannot. To us war is murder, capture is theft ; we have no joy in ruined homes, in fire-scorched villages, in trampled fields ; we would rather strive to raise than to strike down, and we believe that bright eyes and keen intellects are better than armed men.

We do not pretend that we are always right ; we only try to be. We do not pretend that we have truth, but that we search for it. Our motto is : "We seek for truth", and with Lessing we believe that he is most ignorant who thinks he

knows all. Let us search. If you have the truth, we will have it from you. We are ready to listen, if we may question ; ready to hear, if we may answer ; ready to receive, if we may test the purity of the coin you give.

I thank those of you who are not of us. I congratulate those of you who are. I thank those who are not of us for their kindly courtesy, and I would say to them : We are on the side of the poor ; we plead for those who are mocked and insulted, for those who are called "dregs" and "scum", and if you help us we will help you, that we may all have our truth truer, healthier, fuller in the age to come.

Glasgow, June 13th, 1886.

In speaking here to-night, and delivering the closing speech of this meeting, I am conscious that there are probably many present who do not hold the views with which we of the National Secular Society have been concerned to-day. On behalf of those who have to-day elected me as their President for another year, I stand here to claim for them from those of you who do not agree with us a right equal to your own : a right to think, to speak, to do. You may say : Have you not that right ? Do you not use it ? We use it, but your laws do not give it to us ; you deny it to us in your habits. Habits cannot be changed in a day, but laws may.

With a general election now imminent, with power in your hands, I would put two points to those who disagree with us. You gain nothing by keeping bad laws. Bad laws give us a right of complaint. While they exist your religion of love is a sham ; your declaration of brotherhood is a pretence. You may say, what laws ?

First, take the laws about oaths, and see how they hinder us. If we do not take them, they are a difficulty, a block in our way. If we do take them, you who compel us to do so cry out that we are hypocrites. The hypocrisy is yours : the dishonor is yours ; so long as you force your oaths on us. North of the

Tweed no unbeliever in future rewards and punishments has any right to take an oath, nor has he any right to affirm. If he state his views, or if his views be known, if he has expressed them in unguarded conversation, his evidence can be objected to. If the case be a civil one, his claim may be shut out; if a criminal one, the criminal may escape, the innocent may suffer, for want of his excluded evidence. A juror who disbelieves in hell can neither affirm nor swear. The witness, however, may by travelling escape his disability. If he goes to Newcastle, the judge will accept him; the objection is valid north, but not south, of the Tweed. The question ought surely not to be one of geographical limitation. Be fair; allow a man his choice between oath and affirmation. A man who is honest enough to avow unpopular opinions is a man likely to speak the truth. Every Christian should work for this reform, until the men who you say mock the oath are no longer compelled to take it. We do not ask to escape the legal penalty attached to false swearing. We are willing that the same penalty shall attach to our simple declaration. We only ask that we may not be forced to go through a form of words of which we do not know the meaning, and to which you attach meanings as various as your opinions. I do not argue with you as to the meaning of the phrases, "Swear not at all"; "Thou shalt not take the name of the Lord thy God in vain". But I remind you that the Bishop of Peterborough has told you that if you pretend we are hypocrites you fail; that if we say words to which we attach no meaning we cannot blaspheme; that in so doing we give no pledge of belief.

Secondly, we complain of the Blasphemy Laws; laws under which Mr. Foote was imprisoned, under which Mrs. Besant was deprived of her child; laws under which the late Lord Amberley's will was cancelled, and the trust he made for his children's education was set aside; laws which Mr. Justice Stephen said he wanted to expose in all their hideous iniquity. We demand that these laws shall be repealed. They are of no service, save for purposes of persecution. They do not serve religion nor check heresy. Voltaire mocked at them: Hobbes sneered at them. You may lock up one or two

by means of them : but you cannot lock up thought. If your religion is true, you should not want them ; if it is false, you should not have them. If your religion is love, you should not use them ; if it is hate, they should be taken from you as weapon. A Bill is now brought forward to abolish them, brought forward by religious men ; by men who believe that persecution is bad, and that it shows the weakness of those who use it.

We appeal for equal right. We shall win that right. You cannot prevent ; you can only hinder. Many have been burned, but burning has not stopped thought. Many have been imprisoned, but imprisoning cannot stop speech. Our platform is won, despite stake and gaol. The pen, the telescope, the microscope, are won for fuller teaching, for finer touches, for new fact and new thought. We are heretics, you say ; we claim equal right as men. We are men, and you can be no more. We claim the right to reason, the right to argue, the right to answer. The gaol door is no syllogism ; the gaoler's key is no argument. But you say we use mocking words. Why not ? You mock at every religion save your own, and why not we at yours ? But if you would not have us mock, treat us justly ; if you would have us kind, treat us kindly ; if you want us not to use words that hurt, then be fair. Many creeds have lived and died ; perhaps yours may be wrong. If you are sure that you are right, then you can afford to be generous ; if you are sure that you have the truth, then the greater need to be just.

I dare not fancy that you all agree with me ; I know there are some here who think that we are not right. But remember how many have been denounced in their own time who have been honored afterwards, and though we may not deserve to be ranked with them, yet you may be wrong in your hasty forbiddal of new thought. Bacon was assailed as a Materialist ; Newton was decried as a heretic. Men who were branded Atheist in their own age have been canonised in the ages after them for their efforts for human redemption.

I give you thanks for the patience with which you have listened to much with which you disagree, and I bid you all good-night.

South Shields, May 20th, 1888.

It is now my duty to deliver the closing speech of this Conference gathering.

Some of you may be inclined to ask why it is that we invite outsiders who do not agree with us to listen to declarations that must often be offensive to them; you may ask why do we make parade of the strength of a movement which, from your point of view, can only be mischievous and injurious. I will try to answer that question. We ask those who do not agree with us, we ask those who think we are wrong, we ask those who say that they are right and we in error, to give us the evidence of their conviction of having the truth by working to make us as free as they are. We ask that there shall be no penalty on our opinions; we ask that there shall be no disabilities following on the expression of our opinions; we ask that there shall be no privilege connected with any phase of speculative thought. Have you the right? What higher privilege do you ask than the privilege of having it? Have you the right? Then do you need the State to add bribe to duty? Have you the right? Then do you wish to have our error marked with the prison? Have faith in your own conviction. Have belief in your own creed. Fling your truth into the arena of public discussion, relying on its own virtue to bring it out the victor. Who is there among you most convinced of the truth of his religion? On what does he rely? His religion is but one among many; within the limits of this empire there are scores, hundreds, of jostling creeds; how can you be sure that you are right? If you rely on reason, let us reason. Do not gag us when we argue, send us to gaol when we speak. Or are you only sure that you are right so long as there is no challenge? Here is one who is sure he has fine gold, but he will not assay it; who is sure he has gems, but will let no lapidary touch them; who has diamond, ruby, all that is priceless, but who hides them away where none can see them, lest they should prove to be false.

We appeal to you for fair play. We ask you to join us in

demanding for all equal right before the law. We ask you to join us in working for the removal of every disability on opinion. We ask you to join us in securing the repeal of all penalties on heresy. You may say that, granted the laws are harsh, they are not often enforced. Not often enforced! If they are enforced once, it is too often. But they are always being enforced. A man who was on this platform last night, was reproached by the pastor of his church because he had let his roof shelter my ungodly head while we were engaged in political work. We claim that within this empire, wherein exist so many different creeds, that neither the affirmation of one nor the denial of another may avail for privilege or penalty, that the sword of the law shall strike none because he differs from his neighbors in his creed. Neither law nor custom should punish unbelief nor reward belief; a man is neither vicious nor virtuous because of his unbelief; let men's lives be tried and measured by their discharge of duties. We claim that all opinion shall be open to criticism, and that no criticism shall be subject to punishment.

Mrs. Besant spoke of Freethought and Free Speech as means to an end. What end? The enfranchisement of the human mind from the trammels of old legends, which the ignorance of some, the credulity of some, the folly of some, the fraud of some had bound around it, till like the constrictor they cramped and crippled the brain into helplessness. Means to an end! what end? The freeing of the human mind from the fetters of prejudice, prejudice which drives the poor into hypocrisy because of the penalty on honesty. Why should you do the Freethinker wrong? why should you libel him, slander him, starve him? is that the best way to teach him you are right? The man who is outside the chapel because he deems it right to stand there should be subject to no prejudice from the man inside who kneels there because his father knelt there before him. Means to an end! what end? The freedom of the human mind from priestly dominance, whether it be by attempt of Roman bull or as here by a broken-horned bull, who runs against a post which hurts him more than he hurts it. Freedom from the priestly interference which twists science ere

it reaches the child, and which deforms it for men and women. The end that man may work out his own deliverance, free to use his brain as sword, as spade, as plough, without bondage to any.

In the brief but pregnant speech of your townsman, he alluded to your School Board. I am glad that he and other Freethinkers sit on the School Boards of the kingdom, but I am sorry that no School Board, not one, from one end of England to the other, has ever encouraged parents to take advantage of the conscience clause and to withdraw their children from religious education. In four words, themselves a speech, Mr. Peacock said: "Education is our salvation". It should be our salvation. One hundred years ago the ignorant population of France believed that a king might be their salvation. Now, a population spread over every land thinks that the spiritual king in Rome will be their salvation. But education, to be salvation, must begin when the sheet of the new life has nought written on it save the lines of tendencies drawn there by heredity, by the father and mother and their fathers and mothers before them; it must be free to receive the impress of every fact, free to receive the light of every new discovery of science, free, so that as the brain grows it may examine all religions through its microscope, as the biologist examines every minute living form.

Do you ask why we are not content to go on our way, why do we war against other creeds? Because they war on us, they attack us, they will not let us have the salvation of education. You give the Bible to the young children in the school; although it may be criticised by men, you guard it from all criticism till the edge of criticism has been blunted in childhood by belief. We war against creeds, because if a Freethinker endowed a library of Atheist books, the law would take away the endowment and prevent their educative influence. Mrs. Besant spoke of the price some had paid for liberty. But that price is not yet paid. Richard Carlile paid a small part of it, with his nine years of prison. One after another has paid some of it. But no one has yet paid the full price, and when the grave closes over each, each has paid a little more, and even then prejudice exacts the interest of the yet unpaid purchase-money.

We are driven to attack Christianity, because it is the State religion, because it attacks us. And it is hard to say what Christianity is. Christianity in Rome will not let Bruno's monument be raised; but in England a Cardinal goes to Westminster Abbey where Darwin lies among the saints of science. Those who to-day played their tunes outside this hall [the allusion was to the passage of a Salvation Army procession during the morning and afternoon meetings] think that they are Christians. Who is the Christian? This Church or that? All creeds are modifying; all creeds are changing. And this is not only true of our own time. Religions, like languages, like nations, have their periods of growth, their prime, their full strength, their hour of decay, and out of each grows another of a higher type.

I am afraid that I have kept you with my speech even now unfairly, and I will only say one or two words more ere I close this meeting. We are not here to-night in a spirit of defiance or of warfare; we are here letting you know in what we differ, if you do not agree with us. But we are obliged outside to be at war and in defiance, so long as the laws are harsh and customs harsher, so long as the children of the poor are marked out for scorn as though to be unbeliever ought to be brand of contempt. All are infidel to every religion but their own; all are unbelievers in the eyes of those who differ from them. And you who are against us, have you ever thought that as Bruno, who three hundred years ago was bound to the stake with iron, scorched by the flames which licked his life away, is looked on to-day as a martyr of science, so in the future some of you may be marked as infidels who are most believers, and some of us as saints who now are most condemned?

92

